University of Alberta

Re-forming the Child: Human Rights as Global Tutelage

by

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Canada

For Fred, Shane, Robbie, Jethro, Heather, and Olivia

Abstract

This study constructs a history of the child in the discourse of global human rights. It begins with the figure of child murder buried in the rhetoric of the French Revolutionary struggle for civil and political rights. Chapters one and two trace a British imperial itinerary across a range of cultural and historical texts to demonstrate that nowhere is the child the site of cultural contest more than in the struggle for its very survival. When the child is segregated from society, the perpetrator and victim of infanticide are interchangeable, enabling the trope to invert as a parricide. Chapter three claims that the social panic of infanticide inflecting most of nineteenth-century Britain is linked to the emergent discourse of child rights, while chapter four exposes the imperial rhetoric circulating today in the context of Australia's incarceration of political refugees that serves to legitimate the state's violation of adult-rights.

With each tutelary enterprise, the child re-forms to legitimize socio-political relations conceived in familial terms: when the child is brought to life as the survivor of infanticide, the child *at risk*, victim of authoritative paternal-maternal relations, becomes the child *as risk*, scapegoat of exclusionary fraternal relations of power. Based on something other than contractual law, the child-subject of the *Convention on the Rights of the Child* (*CRC*) brings a non-coercive mode of tutelage to the cross-cultural bargaining table. Adding the marginalized figure of the child to adult-centred debates on human rights changes everything, for the child obliges that economic, social, and cultural rights intervene in the unequal access to global resources. In short, the child of the *CRC* brings a set of principles for developing a global social ethics: to undo the murderous opposition between adult and child in the discourse of globalization is to insist that adult-centred theory makes more than nominal room for children.

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Introduction

Part One: Reforming the Child

> *This new discourse (which has, then, a new subject and a new frame of reference) inevitably brings with it what might be called a new pathos . . . that will, broadly speaking, become . . . right-wing thought.* (Michel Foucault *"Society Must Be Defended": Lectures at the Collège deFrance, 1975-76,* hereafter *Society* 135)

"I came to the child because I see in him the last refuge from a literature gone berserk and ready for suicide," American writer Isaac Bashevis Singer remarked in a *New York Times* book review in the late 1960s on what he perceived as the deterioration of adult-centred fiction (qtd. in Townsend 12).[1] Disillusioned with the experimental turn in western literature, with its "literary fads and false originality," Singer found safe haven in the "wild blood" of ancestral stories still coursing through the veins of children's literature, for reworking the "old themes," children's fiction tends to preserve order and guard conservatively against cultural change (Townsend 12).

Unlike Singer, through reading adult-centred postcolonial fiction I came to a different child, one that offers little recourse to refuge. Reading such novels as Salman Rushdie's *Midnight's Children* and *Shame*, Keri Hulme's *The Bone People*, Tsitsi Dangaremba's *Nervous Conditions*, J.M. Coetzee's *Life and Times of Michael K*, and Doris Lessing's *The Fifth Child* and *Ben in the World*, for brief example, I came to a child that frequently appears as an abused, deviant, dysfunctional, disabled, mangled, aberrant, and alienated or alienating figure that allows no easy psychical escape from adult-centred issues and concerns. And keen to get at just what it is in these texts that prohibits the reader from retreating into illusions of a well-ordered past, I stumbled across my subject of the child in the discourse of human rights as global tutelage. In this study, I do not define "tutelage" only in negative terms, as George Stocking does in *Victorian Anthropology*, as a coercive relation of dependency in which rights of participation are denied (230). Rather, I attempt to complicate this notion by adding that tutelage is not necessarily unidirectional and, when it emerges through such processes as dialogue, negotiation, and conference, it carries enabling potential for both tutor and "tutelled." One of the fundamental presuppositions of this study is that some mode of social discipline is essential to producing and maintaining mutually arrived at concepts and guidelines for world order and civility.[2]

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[1] The figure of "the child" functions dually, in the realms of the symbolic and the material. Although I attempt to differentiate between historical children and the signifier of "child," as postcolonial theory teaches, there is no clear-cut division. As the figure carries both referential and productive properties, meaning slips between text and event. The *Convention on the Rights of the Child*'s attempt to differentiate between "the child" as a discursive figure and "a child" as a material person cannot escape the textual problem of slippage.

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[2] Noel Dyck begins with the *Oxford English Dictionary* to develop an understanding of coercive tutelage in a Canadian context. Dyck draws from the unequal adult-child relationship for elaboration, but, in his definition, Dyck minimizes abuses of power within the family:

> Reduced to its essentials, tutelage comprises a form of restraint or care exercised by one party over another as well as the condition of being subjected to such protection or guardianship. It also refers to a situation where disciplined instruction is provided to a pupil by a tutor. In both cases there is an implicit understanding of the unequal status and power of the two parties. What is unusual about the particular form of tutelage experienced by aboriginal peoples in Canada is not that it has involved the exercise of power by one party to guide and shape the conduct of another; this is a familiar feature of the rearing of children, the instruction of students, and the care that is extended to the aged and infirm. Yet unlike the relationship between professor and student, master and apprentice, the tutelage that Canadian Indians have experienced has been based neither upon a contractual agreement nor a negotiated understanding but upon the power of one side to regulate the behaviour of the other in accordance with a set of unilaterally selected purposes. More importantly, contrary to relationships between parents and young children or those which may develop later between adult children and ailing parents, the form of tutelage that has held Indians captive for so long has not been merely a temporary stage in the life cycle but a permanent condition. (24)

One of the assumptions of my study is that some sort of tutelage is essential to producing and maintaining civility and order, Dyck's restraint and care, in the encounter between cultures. Tutelage between cultures is not necessarily negative: while it can be conservative and authoritarian, as in the history of Canadian cultural relations that is exceedingly slow to

It is no accident that Singer introduces the child in the same sentence as death, marked here as a suicide. As his statement illustrates, the figure of "death" often lingers in close proximity to that of the child, which bears the impossible burden in western fiction of securing a space of refuge for the disenchanted adult. But what happens to an understanding such as Singer's when death strikes the child itself and the safe haven it functions to secure dissolves? If we heed English professor Jacqueline Rose's declaration that the child is a cultural construct, a figment of adult desire used to stave off some social panic and that "[t]here is no child behind the category of 'children's fiction', other than the one which the category itself sets in place, the one which it needs to believe is there for its own purposes," then we ought to consider the cultural work done on and through the figure of the child threatened by death. Who or what is the agent of death and what is dying, thereby inciting some social panic? And to which child does the adult escape?[3]

With the impending "death" of the modern liberal subject—the discourse in which Singer is engaged—the western world witnessed a concurrent "birth," or regeneration of the child in the theatre of international relations. The construction of various international child-

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change, it also has potential for intervention through negotiation and non-coercion. In attenuating the differences, Dyck's definition tends to essentialize the parent-child relationship, which, too, is neither "contractual" nor "negotiated." Similarly, the nature of power relations between adult and child is at least twofold: while it can extend to regulating behaviour for some unilateral set of purposes, it can also comprise a non-coercive disciplinary function of guiding and shaping individual conduct. This long note is not to disagree with Dyck, but to elaborate, extend, and complicate binary notions of the circulation of power.

[3] As Michael Freeman points out, one editorial in *Childhood* (1998), "The Social Construction of Childhood—and its Limits," has called for a refining of this position. Freeman notes that this work is welcome news for those scholars interested in a middle ground between a universalizing that glosses the differences in children's material conditions and the relativizing that sidesteps, or "fudges" the moral questions ("The Sociology of Childhood and Children's Rights" 444).

centred legal instruments that began with the first *Declaration of the Rights of the Child* in 1923 marks the conscious beginning of a global turn to the child that came of age in the late-twentieth century in step with the recent turn to culture in scholarly research.[4] Thus, we ought to take seriously the discursive events that, through the various United Nations declarations and conventions on children's rights (1923, 1948 revisited in 1958, and 1989), have moved the child into a new global frame of reference. And we ought to ask, for which adult an escape to the child in the age of global human rights provides or withholds refuge.

Despite relativist claims of its eurocentricity, the figure of the child in the discourse of human rights is not a western construct offering the adult ready refuge, but neither, I will be arguing, is it the opposite, an aberrant figure encoded as the "street child" or the "juvenile delinquent" functioning as a social scapegoat.[5] Rather, the child of the 1989 *Convention on the Rights of the Child* (the *CRC*) is a highly contested and negotiated figure enabling cross-cultural dialogue. Encoded in the history of this child-of-rights, I will demonstrate, is the slow reformation of a nineteenth-century figurative child hacked into sanctioned and deviant social bits that the UN *CRC* imperfectly sutures together to create an ambivalent figure carrying the potential for intervening in current social, economic, and political practices that produce abject poverty on a global scale.

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[4] In 1921, the journal titled *The Record of the Save the Children Fund* (housed in the Save the Children Fund archive in London, England) changed its name to *The World's Children*. See historian Dominique Marshall's "The Construction of Children as an Object of International Relations: The Declaration of Children's Rights and the Child Welfare Committee of League of Nations, 1900-1924" for a good account of the "passing of social work for childhood into an official object of international relations" (103-4). Capitalizing on the link between the child and culture, corporate-commercialism constructs through technology a direct-access, desiring child that exists in opposition to the street children populating any major city around the globe.

[5] The universalist-relativist debate has been one of the major arguments in the discourse of human rights.

To examine how this reformed child-figure functions in the discourse of global human rights, I trace a history of the child in the context of the violation of its fundamental right to life, troped here as a collective act of infanticide. Although scholars of the history of rights often take the French Revolution as their starting point, a reading of the child captured in the trope of infanticide in this historical trajectory reveals a narrative of resistance buried in the discourse of the bourgeois rights of man and the citizen.[6] To construct a genealogy of the child-of-rights, then, I reach back through history to excavate the event of the French Revolution of 1789, where I locate the trope of child death in the discourse of the rights of man. The effects of this eighteenth-century revolutionary rhetoric carried over and gave meaning to the nineteenth-century-long social panic over child murder in Britain, marked by the trope of infanticide, which I define as the murder of a child within the family, however the "child" and "family" are defined.[7] This panic over the race- and class-inflected "act" of child murder, which peaked in the 1860s but continued into the next century, accompanied the entire nineteenth-century period of social reform in Britain and the legislation of a whole series of acts legislated to protect children.[8]

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[6] It is commonplace for studies on the history of human rights to begin specifically with the French Revolution (see, for instance, Hunt *The French Revolution and Human Rights*) or more generally with Enlightenment thought via Jean Jacques Rousseau (see, for example, Jeremy Waldron's *'Nonsense Upon Stilts': Bentham, Burke and Marx on the Rights of Man* and Rhona K.M. Smith's *Textbook on International Human Rights*). Throughout this study, I bracket "human" in the context of the "rights of man" to indicate those rights not yet arrived at. As Michael Goodhart in "Origins and Universality in the Human Rights Debates" points out, "the bourgeois character of the 'rights of man' is [not] an immutable feature of *human* rights" (13). Human rights, rather, are rather those most fully set out in the watershed document of the *Convention on the Rights of the Child* (1990), which crucially bring together civil, political, and rights with social, cultural, and economic rights.

[7] It seems necessary to state the obvious that infanticide marks the violation of the child's inalienable right to life.

[8] The period of child labour reform produced several child protection acts, including the Factory Acts (especially those between 1844 to 1867), The Custody of Infants Act (1839),

Although historically, individual acts of infanticide often sparked some panic over the conditions affecting the welfare of children, the figure of infanticide itself is highly complex. As Josephine McDonagh in her recent study of *Child Murder and British Culture 1720-1900* notes, "the motifs [of child murder] take on a life of their own, and are never reducible to a reflection of a particular case . . . even though their symbolic resonance will often frame the responses to and representations of such deeds" (8). When a material act of infanticide broadens to symbolically reference some minority group, the perpetrator and the victim become the scapegoats of some aberrant, or illegitimate social system—one that denies survival and social welfare rights—in which the trope of infanticide provides an alibi for instituting repressive tutelary relations. But infanticide, I will show, comes in a violent relation of reversal with parricide and the trope often comes doubled. The infanticide-parricide metaphor thus serves as a site marking and managing shifts in relations of authority focused around some violent centre, in which the identification of perpetrator and victim reveals the investments of those struggling for authority. In short, the "work" of infanticide extends far beyond organizing the rescue of children.

The moral panic of nineteenth-century Britain, which was inflamed by countless individual acts of infanticide, helped fuel the slow gestation of the figural child-of-rights that stepped onto the international stage in the early 1900s. Although the first "international" child was weighed down by a handful of western moral values (a mere five principles), over the next seventy years the United Nations succeeded in placing this figure into a new frame

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the Education Act (1870), the Infant Protection Acts (1872 and 1897), the "children's charter" (1889), the first act for the prevention of cruelty to children, and The Children's Act of 1908, which established juvenile courts and marks the end of the infanticide panic.

of reference—the full set of rights labeled "human" that, unprecedented in the history of rights instruments, indivisibly incorporates economic, social, and cultural (ESC or social welfare) rights with civil and political (or due process) rights in one ground-breaking, legally binding document. The child thus introduces a set of principles that addresses all major issues facing children and consequently provides a working foundation for developing a secular global social ethics.[9] Within this new framework, the western child of the first *Declaration of the Rights of the Child* re-formed, taking on the potential to bring about global reform through cross-cultural tutelage. The inclusion of the child raises the cultural stakes in global relations, for as George Stocking points out, nineteenth-century "[m]orality was largely a matter of conforming to the customs of the society a person belonged to."[10] Because the *Convention on the Rights of the Child* goes beyond a mono-cultural understanding of ethics to offer a cross-culturally negotiated set of guiding principles as an alternative to western value-laden notions of universality, those individuals entrenched in the notion of a sovereign or "best" culture find the convention threatening (224). In contracting member-states to adhere to its guiding principles, the *CRC* also provides a non-coercive means for circulating this global ethics. Uniquely, it embeds a "politics of education" that obligates member-states to provide all children, regardless of gender, class, or caste differences, a free primary education that begins with teaching them their human rights

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[9] "Morals" and "ethics," which I use interchangeably, are both components of culture. Both words derive from the Latin *mōs* 'custom' as "the starting point of the English family of 'morality'-words (and its plural *mōres* was acquired by English as *mores* in the 20th century). Its derived adjective *mōrālis* was coined, according to some by Cicero, as a direct translation of Greek *ēthikó* 'ethical' to denote the 'typical or proper behaviour of human beings in society'" (Ayto 354).

[10] The *CRC* does not gloss over differences in global resource distribution and relations of power, but encodes both the ethical and contractual obligation of developed nation-states to assist less developed states with social development.

(Martell 299).[11] In claiming that child rights provide a means of global tutelage, however, I do not mean only through the slow work of inculcating children to a global ethics.[12] But by providing the guidelines that the vast majority of member-states of the United Nations formally agree to adhere to (at least in principle), global tutelage occurs more immediately through dialogue and negotiation between nation-states.[13] The *CRC* guarantees the child not only his or her rights to a nation and a culture; but, by guaranteeing the political right to information and ideas, "regardless of frontiers," the *CRC* builds in a means of intervening in the ideologies underpinning both cultural imperialism and narrow nationalism (*CRC* Art. 7.1, 13.1). Child rights are thus a key instrument of a non-coercive mode of global tutelage.

The umbrella discourse of human rights under which children's rights shelter, although multidisciplinary, has primarily been placed into the custody of international legal studies in academic research. Although the focus of research has begun to change as it becomes more interdisciplinary, anthropologist Ann-Belinda Preis notes, for example, anthropology's abstention from human rights research, while law professor Michael Freeman, a leading proponent of children's rights, observes the lack of collaboration between the children's rights movement and sociology (Preis 287; "The Sociology of Childhood and Children's Rights" 433).[14] As historian Dominique Marshall elaborates, the relation between the histories of legal and social change "remains one of the least-studied aspects of children's rights" (105). In turning to the child in the discourse of global human rights, my study draws from social sciences research on childhood that treats the child as a social and cultural construct contingent for its meaning on children's materiality.[15] Increasingly in studies of the child, childhood is no longer considered "a term of universal social reference which conceals all the historical divisions and difficulties of which children, no less than ourselves, form a part," but, rather, childhood changes geographically and historically (Jacqueline Rose 10).

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[11] Work on global ethics has begun. See the call to scholarly "dialogue" by the Global Dialogue Institute:

> If the world is to maximize the incredibly creative power released by the cross pollinating interaction of massive world-wide developments that are bringing about the "global village," and at the same time minimize the potentially destructive forces of these very developments, humankind must quickly and consciously turn its attention and energies to developing and promoting, on all levels, authentic dialogue. (Global Dialogue Institute)

[12] Child rights obligate states not only to educate children about their rights, but also to perform their fiduciary duty to guarantee the child's right to development and social well-being. This adds importantly to Michael Ignatieff's notion, which I discuss in my epilogue, that rights are not moral trump cards, but claims from below. If rights can only be claimed by an agential individual from below, it follows that children (or adults) living in brutalizing political conditions cannot claim their legal rights, and consequently rights lose their meaning. Access to rights, however, does not depend only on individual agency. Such a claim glosses over the supportive middle role of human rights advocates and community activists.

[13] For a good treatment of this debate, see Philip Alston's "The Best Interests Principle: Towards a Reconciliation of Culture and Human Rights."

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[14] However, the most recent special issue of *The Journal of Social History* (Summer 2005) is devoted to the subject of *Globalization and Childhood*, primarily focused on consumption and consumer desires, and the past few years have seen a rash of academic, International Labour Organization (ILO), and Human Rights conferences that include the child in their focus on globalization.

[15] See, for example, the work of Philippe Ariès, Linda Pollock, John Cleverley and D.C. Phillips, and Allison James and Alan Prout, etc. In response to Philippe Ariès's groundbreaking study of childhood in the 1960s, in which he argues that childhood as a time of innocence rather than subordination was a construct of the eighteenth century, Pollock argues that parents differentiated between children and adults as early as the sixteenth century. Ariès does not argue that parents did not recognize their children as different, however, but that the concept of childhood changed. The feudal system of apprenticeship training did not regard childhood as a unique period of development correspondent to age and education. But, he notes, a "coddling attitude" towards children emerged with the emergence of the conjugal family and a new pedagogic focus on tutelage, based on moral intimacy rather than apprenticeship (132). Sociologist Vivianna Zelizer's landmark study *Pricing the Priceless Child* demonstrates a shift in social attitudes toward children at the end of the nineteenth child, when the child was sacralized. As Zelizer notes, the modern child did not become emotionally "priceless," or sacred, until children had shed their value as cheap labour in the marketplace. In 1842, children had not yet accumulated the sacralized currency of "the child" that western parents would vest in their children by the end of the century. This sacralization continues to circulate as a conservative principle of normalization today.

I approach childhood then not as a universal social reference but as a discipline that divides space and time and thereby sets childhood outside and apart from adulthood; in this, I am indebted methodologically to colonial discourse theory, especially the Foucauldian inflected lessons Edward Said offers in both *Orientalism* and *Culture and Imperialism.* Since attitudes toward children have changed through the centuries, analyses of childhood have much to reveal about social and historical attitudes, conditions, and relations. Nevertheless, English professors Jo-Ann Wallace and Stephen Slemon bring together their work on the child and postcolonial theory to observe that while the child is "a predicating" figure, childhood is still a "largely unacknowledged term in Western philosophical thinking about human existence" that requires demystification ("Into the Heart of Darkness" 20). This observation provides one of the inspirational cornerstones of my study, to which I add another—that just as "the discourse of man is in the metaphor of woman," so the discourse of the adult is in the metaphor of the child—for one of the fundamental tasks of this study is to demonstrate the need to undo the murderous opposition between adult and child in the discourse of globalization (Spivak "Displacement" 169; Nandy).

While appearing in an occasional article that makes children its subject matter, the important work that global child rights does differently from adult-centred human rights often remains in the margins of theory. Sharon Stephen's observation in *Children and the Politics of Culture* (1995) that the child is absent in theories of globalization (although this situation is changing) provides a third keystone of this study, in which I locate the child positively as a cultural presence doing some form of "work" and negatively as an absence marking violations of human rights troped as infanticide or as juvenile delinquency. In the history of childhood in nineteenth-century Britain, studies of infanticide have generally focused either on demonstrating its very existence as "the sin of the age" or on establishing the evidence and motives of individual cases (McDonagh 5; Higginbothom 319).[16] The most recent major contribution to studies on infanticide, McDonagh's *Child Murder and British Culture 1720-1900*, however, treats instead *the idea* of child murder and claims that the motif of infanticide travels from context to context, accreting meaning as it moves through time and place. As a memory-bearing mechanism of culture, McDonagh demonstrates, the motif of infanticide is never reducible to the historical event in which it appears.

In tracing the child-of-rights in its travels and transformations across time and place within the frame of human rights-as-global-tutelage, I take a deconstructive cue in locating infanticide in the European history of rights and, as a fourth touchstone of this analysis, a cross-cultural lesson from K. Anthony Appiah, who states that human rights encode many metaphysics and, therefore, do not comprise "a metaphysics of Enlightenment liberalism" (109).[17] Taking the child embedded in the French Revolution as my starting point, then, I add to Appiah's notion that to read the place of the child as the victim of infanticide in the discourse of the civil, political, and property rights of man is to apprehend the child-sacrifice embedded in western (neo)liberalism.

By bringing the child-victim in the trope of infanticide to the history of human rights, I build on McDonagh's observations while taking a different tack. I take one set of related images gathering around the child in the tropes of infanticide and juvenile delinquency, as metaphors for the child *at risk* and the child *as risk*, and read these images through the lens of postcolonial, or transnational, discourse studies. I take infanticide as a metaphor for the basic violation of the child's right to life and trace its re-formation in the discourse of global (human) rights, from the victim of infanticide, to the survivor (of infanticide) as the juvenile delinquent, to the global citizen, as a person-in-his-or-her-own-right. Following a discontinuous imperial route in the tropological journeys of the child, I consider how infanticide points to the limitations of liberal rights and exposes a problem:[18] the relations of power constructed on, around, and through the child-of-rights are largely ignored in theories of global change. Which compels a question: by excluding the child from analyses of human rights and globalization, by holding it apart, cocooned from the adult-centred critical gaze, what refuge does the global researcher seek?

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[16] There has been a proliferation of infanticide studies in recent years. For a good earlier historical approach, see Lionel Rose's *Massacre of the Innocents: Infanticide in Great Britain 1800-1939*. See also Ann Higginbothom, Mark Jackson, and Jill Matus.

[17] To claim that human rights—which encode values of "peace, dignity, tolerance, freedom, equality and solidarity"—are western-centric is to turn a blind eye to the history of western domination and exploitation and to perpetuate cultural imperialism (Preamble *CRC*). Such a claim asserts a self-proclaimed moral superiority that serves to deny others, dismissively labelled "the non-west," their humanity.

Since the advent of the United Nation's *Convention on the Rights of the Child*, the study of children's rights, as part of a much broader focus on global human rights, has developed to the point that it merits its own journal *The International Journal of Children's Rights* (1996), which draws widely on the disciplines of "law, legal and political theory, psychology, psychiatry, educational theory, sociology, social administration and social work, health, social anthropology, economics, theology, and history to further children's rights in all parts of the world" (Springer). Noticeably "literary" and the broader "cultural" studies are absent from this extensive list of scholarly activity, and it is into this gap that my work falls. Rooted in colonial discourse theory, my work brings the child to the crossroads of postcolonial analyses, the history of childhood, and global human rights to address the problem of the child's minority status in adult-centred globalization studies.

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[18] The rights to property and to remuneration for property taken by the state were deleted from the 1948 *Universal Declaration of Human Rights* following the entry of formerly colonized nation-states into the United Nations (Nickel).

In bringing transnational cultural studies to global human rights, I consider the *Convention on the Rights of the Child* in terms of its being a discursive practice, constituting a narrative in which "[t]he events making up . . . [the] story are only available to us through a telling" (Cohan and Shires 1). This is the story that has not yet been told in work coming primarily from the field of law. Consequently, my study is invested in telling the story of a dialogic narrative form (the *Convention on the Rights of the Child*) figured by a generic child that has entered the global arena of international tutelary relations by way of the French Revolution. Reading the child of the *CRC*, which stitches together the nineteenth-century split between aberrant and sanctioned child-figures (child at risk/child as risk), demonstrates that the human right to life cannot be ensured unless the rights to human dignity, health, education, and a decent standard of living are safeguarded; for civil and political rights and economic, cultural, and social rights are inseparable. Having performed the conceptual work of exacting near-universal ratification of the full set of human rights, the reformed figure of the child, now legally a person in his or her own right, I claim, must be reintegrated into mainstream debate, for the failure to read the child in the social and theoretical enterprises of globalization leads to partial and false analyses of global issues.

I locate my subject in a broad range of texts across different registers that I read in clusters to marshal a diverse range of material into conceptual order. These clusters are held together by the trope of infanticide, a metaphoric death that travels across place and time and emerges in various "temporary homes" of meaning lugging with it the accumulated effects of previous histories (Foucault *Society* 11). Such a genealogical approach locates meaning in the fragments of both legitimate and "illegitimate" knowledges. Rather than focus solely on the discontinuities of history, however, I add from colonial discourse theory the knowledge that it is also important to trace continuities and transformations. In this study, then, I examine some of the effects of child death that mark the violation of human rights as it hovers around the child and transforms, taking on new meanings while continuing to bear traces of previous discourses.

To this end, I assemble an assortment of texts as follows: in chapter one, I begin with British imperialism to read government documents and missionary tracts focused on a nineteenth-century "global" attempt to control infanticide in the context of rent collection in India; in chapter two, I examine women's autobiographies that encode an interrelated domestic economy of infanticide and relations of power in the Anglo-Indian nursery; in chapter three, I read a range of cultural texts raising the spectre of infanticide in Britain in the context of exploitative labour relations and the emergent discourse of child rights; in chapter four, I turn to present-day journalism texts centred on an ongoing political scandal in Australia that puts this imperial rhetoric of infanticide into play in the context of the violation of political refugees' human rights; and, finally, in a short epilogue, I turn fully to the *Convention on the Rights of the Child* to place the child squarely into the discourse of human rights-as-global-tutelage. These seemingly disparate groups of texts are knit together in part because they are all engaged in legitimating, resisting, or intervening in the exploitative economic conditions that the trope of infanticide in these texts references. Chapters three and four also examine conservative and interventionist fiction written for children that introduces, if in a minor way, the concept of child rights. How each literary text envisions the relation between social and political agency differentiates their visions of the child's access to rights.

A key premise of my study is that a discourse of global tutelage emerged during the eighteenth-century age of European Empires that persists to this day, coalescing formally around human rights and informally around tropes associated with the child, in particular those of infanticide (loss of life) and juvenile delinquency (loss of innocence, the end of childhood). In taking up the trope of infanticide, which I pick out of the eighteenth-century debate on the rights of man and the citizen, I use the term "infant" as a synonym for "the child" defined not only by age, but by the attribute of innocence. A product of European modernity, this figure of the child is an unequal correlative of Enlightenment man, functioning, Jo-Ann Wallace suggests, as a "repository *and* projection of all that is repressed" by various arrangements of theoretical knowledge ("Technologies of the Child" 297). But the child in this history is a split figure burdened either by ideal or by deviant properties, whose appearance in adult-centred texts marks the attempt or the failure to repress certain forms of knowledge. Thus, a reading that traces the dislocations and transformations of the child-of-rights along with its disaffiliated shadow figure—the child whose rights are violated—through the trope of infanticide carries the potential to disrupt the logic sustaining inequitable global resource distribution (Suleri 6).

Bearing the normative value of innocence, the western child is a subordinate figure both within the nuclear family and the nuclear nation-state. A shared stake of both, this child functions as a "hinge" figure, providing a link that enables the transposition of symbolic currency from one item in a pair to another (Foucault *Society* 136).[19] In the same way, the figure of the child serves as a conduit for shifting codes between pairs in other genetic systems. All that is childish in the parent-child structure can be displaced, for example, into the modernist "family of man"-League of Nations system of trusteeship that emerged after World War I inescapably ghosted by a new international instrument, a declaration of the rights of the child.[20] As a mediating figure, the child functions as a sign of exchange with the "substitution becom[ing] aberrant," Paul De Man notes, "only if . . . [the genetic] continuity is in doubt" (144). The illegitimate child—the one devalued as less than a participatory citizen with rights—provides a mechanism for disrupting genetic continuity, which then allows society to divest itself psychically of its social responsibilities. As a legally and morally recognized "person with rights," the child-subject of the *Convention on the Rights of the Child* becomes such a disaffiliated figure in conservative ideology because it strays from the sanctioned "norm" of paternalist "protection." In the same vein, global child rights threaten nation-state sovereignty by disrupting the paternalist, or sovereign, balance of power licensed by the logic of genetic succession between nuclear family and nation-state.

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[19] In analysing the child outside the lineaments of maternalism's mother-and-child unity, I acknowledge gender as a shadow text of this study. I am more interested here in unhooking the copula "and" from the binary pair to acknowledge the "indefinite variety of relationships" between the items of the maternal "calculus" (Spivak *Critique* 428). In "Towards a Cultural Understanding of the Interplay Between Children's and Women's Rights," Alice Armstrong et al. conclude their analysis of changing conditions within the "context of traditional subsistence economy and the extended family" by suggesting that "it is dangerous to make children's rights depend on women's rights," or vice versa (366).

[20] Further examples of infantilizing the adult-other abound in the history of colonial imperialism's displacement of childish qualities onto racialized others. See, for example, V.G. Kiernan and Ashis Nandy. At this time, a delegate of British philanthropists successfully pressured a reluctant League of Nations into adopting the first *Declaration of the Rights of the Child*, although its potential as an instrument of resistance to such authoritarian tutelary power was not yet formulated.

Although the "universal" child serves to disavow differences, the "generic" child of the *CRC* is not a universal figure, I will argue, but a legally recognized person-with-partial-rights, an individual with one foot (un)grounded in the realm of the moral symbolic and the other rooted in the local, juridical material present.[21] This ambivalent global-local figure provides a potentially rich site for "productively disorder[ing]" myths that protect pieties of sovereign authority. "This way of working, half in and half out of what is at hand, negotiating with pre-existing structures of violence, is the way that works, the way things work, says deconstruction [and Gayatri Chakravorty Spivak], whatever the purist claim" (*Critique* 110).

As the architectural underfooting of paternal social organization and a locus on and through which repressed anxieties get managed, as the site of moral innocence and psychical refuge, the child is an impossibility. This understanding helps explain Sharon Stephens' observation that the child is absent in theories of globalization, which, although this is changing, continue to work within a private-public dichotomy of thought.[22] Never entirely absent, however, the child lurks in the folds of the global text, where it is at once a critical repository of overdetermined meanings in the discourse of human rights, yet a marginalized figure that an ethical analysis of global processes, I maintain, must take into account.

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[21] I distinguish between "universal" and "generic" as follows: the universal child is a figure loaded with values and properties such as "innocence," "helplessness," and "malleability" assumed to be common to all cultures, while the generic child, a figure emptied of brand names and cultural content, is a flexible categorical shell that allows for inclusiveness. Its defining properties are not culturally specific, yet the child bears the right to his or her own culture, and even the empirical category of age, defining "the child" as eighteen years or younger, varies in the documented reservations of various nation-states.

Throughout this work, I locate the child in the linked tropes of infanticide and juvenile delinquency to support my claim that, as a repository of repressed forms of knowledge, this figure poses a problem. Although the notion that the Enlightenment child is a normalizing figure bearing the burden of safeguarding cultural innocence has been challenged in studies of the child and childhood since at least the 1980s, this idea is still tenaciously rooted in popular imagination.[23] Consequently anthropologist Jo Boyden rightly expresses concern that the child created by the UN *CRC* might exclude its material counterpart of street children, whose disappearances from urban centres from São Paolo to Seattle, she worries, get effaced in debates over child rights.[24] As definitions of permissible behavior set out in various legal instruments become more precise, Boyden states, "so judgment[s] about abnormal childhoods" become more unsympathetic (187). Ashis Nandy explains:

> [S]ocieties dominated by the principle of instrumental reason and consumerism mystify the idea of childhood more than the idea of the child. This differential

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[22] See especially Michel Foucault's *The History of Sexuality*, which sets into play a large body of theoretical work on private-public space.

[23] Take a popular film in the realist genre like James Cameron's *The Titanic*. As the ship sinks and the panicked passengers on deck jump futilely into the sea against a backdrop of prayer and inevitability, a steerage-class mother tenderly soothes her two children below deck by telling them bedtime stories and tucking them into "safely" into bed. Protected from the knowledge of their immanent death, the children will drown, still cocooned in a blanket of innocence. Repressing the knowledge of class, the child-sacrifice is redeemed culturally through the Irish legend of *Tir na* nÓg that sends these children to the land of "eternal youth and beauty."

[24] There are a few exceptions. See, for instance, Jo Boyden, Anne McGillivray, Jo-Ann Wallace, and Sharon Stephens. Although Boyden and Wallace both observe the child's erasure, Wallace importantly brings the child into the arena of post-colonial studies, adding that "'the West's continuing and contradictory investment in a vision of child*hood* as a universal unmarked by class, place, or history" erupts "around representations of 'the child'—whether they are evoked by UNICEF or the Foster Parents' Plan or famine relief agencies"—as "post-colonialist guilt" (182).

> mystification ensures that the idea of the child is more positively cathected than the real-life child. The image of the child is in fact split and those aspects of childhood which are incongruent with the culture of adult life are defined as part of a natural savage childhood and excluded from the mythological idea of the child as a fully innocent, beautifully obedient, self-denying and non-autonomous being. (67)

The child in this dichotomous formula is a split-figure:[25] the child-with-rights remains the sanctioned yet unequal offspring of obligation- and duty-free global economic man, Karl Marx's free-trader *vulgaris*, while the deviant child is either an illegitimate victim or an unlawful survivor of infanticide, configured, in my study, as either an absent or a delinquent "citizen" of the globalizing world (*Capital 1*, 280).

Noting that the growing unease over the suffering of the innocent child is accompanied by an increasingly unforgiving perception of anti-social children, Boyden assumes a relationship between image and index that can be expressed as follows: the child-with-rights is constructed discursively on the trace of and makes invisible its marginalized material other. If Boyden is right, since the *CRC* purports to give rights to all children, we can turn to local cultural texts that make the disaffiliated child knowable in order to examine what is ghosted, or lost, in the global text. My study takes up this work by constructing a history of the child through tracing the metaphors of infanticide and juvenile delinquency in the context of the production and violation of human rights. In my epilogue, however, I return to Boyden's concern to suggest that this anxiety over the street child's absence from theory might be rechanneled. The *CRC*, I suggest, sutures sanctioned and deviant child-figures together, offering a more ambivalent interventionary figure that causes concern for those resisting cross-cultural contamination by seeking refuge in the romance of purity, or innocence.

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[25] The splitting of *homo sapiens* began in the eighteenth century with Swedish botanist Carolus Linnaeus's classification into essentialized categories. Increasing attempts to perfect the system led to the nineteenth-century racialized taxonomy (Gould 251). Imposing values such as innocence onto the child enabled a concurrent split into sanctioned and deviant child-figures.

When it strays from sanctioned forms of tutelage, the child exceeds the image limited to and burdened by those values authorized by a culture's sanctioned notions of childhood, and is made illegitimate.[26] Further, as Josephine McDonagh observes, "the figure of child murder often disavows its most literal referent—the murder of a child—and connotes instead a host of other meanings, all of them suspended beyond the boundaries of positive knowledge, in the much more shadowy domain of the cultural imaginary" (13). In my location of infanticide as it appears symptomatically in the discourse of rights, I draw from McDonagh's understanding of the operations of child murder and note that, in the context of human rights violations, if the child survives the act of infanticide, it is often made a juvenile delinquent—or an immigrant refugee. As Bill Ashcroft, Gareth Griffiths, and Helen Tiffin explain, "the interstitial stage between child and adult—'youth'—is treated as a scandalous category, a rite of passage subject to considerable suspicion and anxiety" (*Key Concepts* 24). The juvenile delinquent is made a societal scapegoat.

But as psychoanalytic theory teaches, the encounter with the delinquent other is also a self-encounter. Thus when *homo œconomicus* sweeps aside the "eternal" present of children for the nostalgia of innocence, he figures "surplus humanness" as the not-innocent, as the juvenile delinquent, whose discursive arrivals and departures mark sites where his authority psychically apprehends its own complicity with law-breaking.[27] The symbolic encounter with the deviant child forces global-economic man to enter "a zone of contact with reality" (Bakhtin 39). The moment this morally delinquent "free-trader *vulgaris*" confronts the felony of his own opportunism, self-recognition incites terror and tropes as infanticide or delinquency. To effect change, discourse theory argues, is to expose the codes of recognition in the encounter between the "universal" and the deviant other (Slemon "Post-Colonial Allegory and the Transformation of History" 159).[28] In my study, this critical enterprise proceeds—to borrow from Mikhail Bakhtin—by dragging the past with its denial of children's rights into the material present of refugee children (chapter four) that an ethical analysis of global processes must take into account.

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[26] Stephens notes: "There is a growing consciousness of children at risk. But . . . there is also a growing sense of children themselves as the risk—and thus of some children as people out of place and excess populations to be eliminated, while others must be controlled, reshaped, and harnessed to changing social ends" (13). The slippery taxonomy in the social sciences marks the aporia of representing the troubled site of children in, on, and of the streets.

When the figure of the child appears in adult-centred discourse to centre some social panic, it often gets troped as a collective loss or death, either the loss of the child itself or of its innocence, its childhood, as an alibi for legitimating repressive relations of power. Although the panic over infanticide stretched across the entire nineteenth-century, it became more critical at particular historical moments, generally coalescing around some physical act of child murder understood as being symptomatic of a larger, more systemic social problem. Thus in tracing the trope of infanticide, I shuttle between historical event and cultural representation, the two neither entirely separable nor reducible to one another.[29]

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[27] Throughout, I use the terms "global man," "free-trader *vulgaris*," and "*homo œconomicus*" interchangeably to indicate relations of economic and political power structured along repressive familial lines. This figure is inextricably related to John Trumpbour's anti-American "entrepreneur of terror" (363).

[28] On universality, Marc Shell notes that like the paternal mode of ordering, brotherhood is based upon bloodline relations championing homogeneity. The concept of "universal" brotherhood "recognizes only one tribe of human beings with no essential intergenerational or intragenerational differences and no essential gender differences" (*The End of Kinship* 184). The claim that all men are my brothers runs the risk of turning back upon itself to state: "only my brothers are men; all others are animals" (Shell 88). In *The Water-Babies*, Charles Kingsley demonstrates a similar understanding by evoking the rallying call of the anti-slavery movement: "Am I not a man and a brother?" If one can make beasts into men, he criticises, then the obverse can also be true. Through self-indulgence and lack of self-discipline, men degenerate, becoming ugly, dumb beasts, not brothers (259-60). Hence the Hindu tailor in *The Water-Babies* becomes a nuisance fly to be exterminated (see chapter 4).

As postcolonial fiction often encodes a different child to that of the protected child of western fiction, I am invested in tracing an imperial trajectory of the child that complicates present day notions that child rights are exclusive, or western. In the imperial context of the division of labour, for example, the "new pathos" driving the nineteenth-century social panic troped as an infanticide led to the commodification and exportation of children. The function of the child in the imperial context is at least twofold: its loss serves to justify punitive control of the agent of child murder (however identified), while its presence brings some form of power relations to cultural tutelage. The generic child of human rights, I claim, brings to cross-cultural negotiations both the mechanisms and the rationale for social tutelage. The problem is that, while the child can do the work of intervention, when separated as a distinct fragment from the whole of society, it can also serve to displace attention from some broader social issue and thereby justify the repression of some marginalized group in society. The child does not come in a social vacuum, yet its appearance and its rescue can efface the structural conditions affecting the community in which the child is embedded. When those conditions include the political or cultural infantilisation of some adult population, I will show, there is considerable reversal between the perpetrator and the victim in the tropes of "infanticide" and the inverted crime of "parricide."

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[29] The general panic over infanticide in Britain subsided only after the state enacted a series of legal protections for children in the late-nineteenth and early-twentieth centuries.

To "save" the child, the enterprise of philanthropic rescue, is not to ameliorate the structural conditions fueling child-centred panic, and this study does not attempt such a gesture. It proceeds instead on the premise that the UN *CRC* outlines a model for a global social ethics that includes the social right to distributive justice, for child rights necessarily entail structural adjustments that benefit the entire community in which the child-as-citizen is embedded. When not taken seriously, however, nation-states lacking the political will to follow through with their legal commitments to the *CRC* put these rights and the global social ethics encoded in them into jeopardy.

My central argument is that the child is a primary stake in the enterprise of global tutelage. Through a unique set of child-centred rights and social obligations, it enables a cross-cultural dialogue that requires the global citizen to approach his responsibility to social welfare differently. As a site of production and mobilization of social, cultural, and political investments, the child is a critical but repressed figure in the theatre of global relations, most visibly in the discourse of human rights. With each new tutelary enterprise, the figure of the child must be re-formed before it can be set to work, and the child of the *CRC*, as a person in his or her own right, is not the western-moral figure of the earlier *Declarations of the Rights of the Child* (1923 and 1948). However, while the inclusion of the affective and moral currency carried by the child in the discourse of human rights can pave the way not only for encoding ESC rights, but also for moving discursively towards their implementation, segregating the child as a special entity requiring paternal protection can also serve to displace attention from human rights abuses against some minority group targeted as deviant or infantile. The fear in my argument centred on child rights at the dawn of the twenty-first century, then, reveals my complicity with an ethics of "dangerous utopianism." Yet, this collusion is the necessary condition of this study that must be worked through to avoid the structural entropy such missions of charity sustain (Spivak *Critique* 279). Such an "ethical responsibility" is, Gayatri Chakravorty Spivak entreats, "a burden of being human" (*Critique* 4-5).

In this study, I turn to history to trace the travels of one reformation of the child—from victim of infanticide to juvenile delinquent and back—to seek an understanding not only of the historical context behind the appearance of the trope of infanticide in rights discourse, but the use of this metaphor and the specific ways in which these figures serve to organize the social arena. In tracing a figural shift from the child-at-risk, the victim of infanticide, to the child-as-risk, the juvenile delinquent, and back again, my narrative identifies the double burden of illegitimacy and unlawfulness, infanticide and juvenile delinquency, placed on the child in its travels across a network of colonial and post-colonial discourses.

As I suggest in part two of this introduction, the metaphors used by the "fathers" of rights discourse—Edmund Burke, Thomas Paine, and Thomas Spence—encode an absent child victim of infanticide that necessarily shifts the ground for understanding child rights as a model for a global social ethics. Because the child is not generally taken seriously in adult-centred theory, we tend to overlook the significant work done on and through this figure. Without taking the child into the account of both the violations and the potential of human rights, however, we forestall making any genuine change to existing inequitable social conditions. We need, therefore, to examine what the child's appearance in an adult-centred discourse serves to paper over: What relations of power are set into place by its mobilization and who is credited with authority to manage the child-centred panic its appearance symptomatically tropes? To this end, I begin a "global" history of the trope of infanticide via a transnational cultural studies route to claim that the discourse of human rights in Enlightenment history has always-already been an international affair.

In chapter one, I locate infanticide as it marks the violation of human rights in the theatre of commercial rivalry between the British Empire and the US American South. In the context of the international division of child and slave labour, infanticide provided a site for both repressive and disciplinary intervention. Religious and political rivals waged a struggle for moral authority in the name of an inaccessible Indian child, counted in the first censuses conducted in India only by its absence. Notwithstanding Michel Foucault's analysis of the negative aspects of social discipline, along with a critical Marx, I register the positive role of such rights measures as birth certification for children, which provide checks against unfettered economic liberties and provide too an essential scaffolding necessary for children to access state resources. Along with the discovery of infanticide, however, the state discovered the difficulty of fulfilling its duty to protect children, and, I will demonstrate in this chapter, the British staging of infanticide as a cultural aberration in India ultimately had less to do with securing the right to life for children and everything to do with the international division of power and resources. When children were no longer of imperial use, the British government simply lost interest in social reform in India and pulled out, the child in the discourse of Indian infanticide quite simply abandoned.[30]

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[30] British texts recording the debate over the most effective type of rule, self-legislation and discipline or repression and coercion, perceive the nature of cross-cultural negotiation and Indian agency differently, revealing the biases of the various investments. Not in doubt, the

Chapter two examines Anglo-Indian women's autobiographical accounts of child management that correspond with public attempts to control infanticide in India. The autobiographical text gave the domestic sphere special purchase into public affairs through encoding a baptismal relation with patronymic law. Its contribution, this chapter demonstrates, was the production of the child as an imperial "asset." In the nursery, culpability for infanticide travelled on a chain of displacements from an East India Company imposing repressive measures of social control to an Indian nurse purported to have killed first her own and then the English child in her care. English women claimed an authority authorized by virtue of their perceived cultural superiority; thus the moral mission to rescue "lost" children depended on Anglo-Indian women first acquiring the self-mastery required to command others. Familialising household relations, the autobiographical woman could bring about a "coming-of-age" by displacing her own sense of helplessness onto an infantilized domestic other. Autobiography is a personal history, however, and in the case of one Englishwoman in India, her own access to child rights depended not on some moral mission imposed from above, but on claiming rights from below. Nevertheless, while knowledge of child rights might inform the autobiographical child's understanding of relations of power, the power to claim her rights remained out of political reach. Significantly, however, the text

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chiefs and thakurs of independent tribes engaged in discussions on preventing the practice of infanticide, signed covenants, and passed legislation. In the Rajput district, for example, they were instrumental in developing and adopting the first sumptuary measures for the prevention of infanticide (Hjejle 375). While those supporting self-governance, Charles Raikes, the British Magistrate of Mynpooree (1852), for example, declared that the Rajpoots took up the work of self-legislation with zeal, others invested in establishing Christian schools and missions, such as John Cave Browne, declared that the covenants were coerced: they were reluctantly signed and "still more reluctantly and sullenly acceded to, and virtually inoperative" (Browne 197).

shows that rescuing the child is not solely the act of the philanthropic western adult but that, lost in an alien land in which the British infantilised the deviant adult—that is, all those resisting British design—the British in turn were infantilised by the environment and required rescue by the Indian adult.

Chapter three moves from India back to England where throughout the second half of the nineteenth century the slow process of implementing rights for children had begun. At the same time it resisted the movement to extend the vote for working men (1860s), paternalist politics looked to managing children as a primary object of social reform. But the child in this history, I have suggested, is a split figure. While the bourgeois child provided a primary site for the imposition of state tutelage and a new focus on morals that helped establish the acquisition of culture as a prerequisite for gaining the rights of the citizen, the pauper child surfaced as a central metaphor figuring the class-divide and allowing the transference of childish properties onto the outcast adult. At the same time the philanthropic agents of state were shipping hundreds of thousands of surplus children into the Empire as so much cheap labour, the pauper victim of infanticide provided a site upon which to infantilize, racialize, and criminalize the British poor. One of the first novels written for children, Charles Kingsley's *The Water-Babies*, delineates a new international division of labour: a new emigrant commercial class, built on the reformed pauper-boy survivor of class-enacted infanticide, and the next managerial class, filled by the properly instructed bourgeois boy, together would rejuvenate the British Empire. The education of these children would secure future imperial relations by scapegoating the illegitimate youth as juvenile delinquent.

Chapter four travels with this exported child from the urban heart of a waning Empire into the former British colony of Australia. This chapter begins by reading nineteenth-century imperial rhetoric as it resurfaces today in a current political scandal that local media christened "baby overboard." The twenty-first century water-baby is a political refugee. Elements of eighteenth-century moral censure accompanying the child to the British colony, have resurfaced today in the accusations of illegitimacy and infanticide imposed on political asylum seekers perceived to be invading Australian shores. At the same time it contravenes the rights of refugee children on its own shores, however, Australia maintains a facade of political legitimacy in the international arena by supporting child rights elsewhere. As the child-overboard incident demonstrates, the ethical principles set out in the *Convention on the Rights of the Child* strengthened the moral position of global human rights advocates lending support to activist resistance from within the country, demonstrating that it takes a combined local and global activist effort—the combined pressure from within and from without the nation—to effect cross-cultural change.

Adopting an interventionary tutelary role, popular writer of Australian children's fiction Morris Gleitzman actively participates in activist resistance to the state's oppression of asylum-seeking refugees by taking the plight of the refugee child directly to his readers. His paired novels *Boy Overboard* and *Girl Underground* anchor the violation of refugee children's rights in the two figures—infanticide and juvenile delinquency—that I trace from the Enlightenment construction of rights through the nineteenth and twentieth centuries. Gleitzman's intervention models an agential child as a participatory subject of rights and bearer of social obligations and, therefore, as a participatory subject-citizen. However, the danger in this analysis focused on the child segregated from its community is that saving the child allows the public to take refuge from the racism inherent in Australia's policy of automatic detention of adult refugees seeking political asylum. Rescuing the child and its family in this situation marks the failure to address the basic human rights violations of other refugees and, perhaps, leaves child-centred advocates complacent in the knowledge of their partial "rescue."

In my epilogue, I bring the child that has emerged from this history of infanticide-juvenile delinquency to the discourse of global human rights where the child re-formed in the late-twentieth century become a partial person in his or her own right. Segregating the child fully is a western move that assumes children are fully agential and able to claim rights on their own. Before bringing the child as a participatory citizen to the adult-centred debate on the nature of human rights waged between historians Michael Ignatieff and Thomas Laqueur, I first outline a brief history of the birth of the child of rights in the theatre of global relations. Here, I argue that the generic child of the UN *CRC* sutures together the deviant and sanctioned figures of the child, creating an ambiguous category that serves as an "organizing principle" for doing the "work" of global governance. While the figure of the protected child displaces the violation of human rights onto the outcast child that too visibly marks a social crisis, to rescue the disaffiliated child without addressing the social conditions of its existence merely displaces the problem onto another segment of society.

The full package of child rights, I have stated, encode social, political, and moral responsibilities that "function as the guilty territory" wherein free-trader *vulgaris* apprehends the grotesque of his own self-interest. Splitting the child thus enables this *homo economicus* to avoid his responsibilities to the communities in which he is embedded, locally and globally, by protecting one child while discarding the other with impunity. As Ignatieff points out for "global" civil society, "[t]he moral script that justifies humanitarian intervention demands noble victims." Moral "universalism" demands a moral "payback" that the illegitimate child fails to deliver (*Empire Lite* 52). Thus "deviant" children filling today's prisons and detention camps perhaps expose the limits of the global humanitarian enterprise (Suleri 7).

Demonstrating that when the double parricide-infanticide metaphor I identify in eighteenth-century revolutionary discourse inverts, the violence between the entities established as parent and child does not cease but also inverts, I then attempt to displace infanticide by giving it a slightly different parentage and repositioning it as a problem of global economic distribution. However, to address human rights fully is to continue to work within the adult-child binary, bringing the marginalized child into a more equitable relation with the adult. This enterprise entails taking seriously the obligations set for nation-states by the *Convention on the Rights of the Child*, which encodes a global social ethics signed by all members of the United Nations and—marking the human disgrace embedded in contemporary global rights relations—ratified by all, but two.

My hope in bringing the child as an agent of cross-cultural tutelage to the broader discourse of human rights is to promote the *Convention on the Rights of the Child* as both a juridical and a moral instrument predicated on the will to intergenerational responsibility that compels an ethical restructuring of global economic relations, for—to borrow from Stephen Slemon—the inclusion of the child in the discourse of globalization "changes everything"[31] ("Lament for a Notion" 213). It demands the reformation of existing global social relations and disrupts inequitable fiscal agendas by strengthening and advancing the economic, social, and cultural dimensions of human rights instruments. In this study, therefore, I marshal the generic child of rights as a "mobilized [if imperfect] unity" to combat capitalism's severance of children into fragmented "ideal" and "deviant" objects of reform (Spivak "In a Word: Interview" 13). I lift the child-victim of infanticide from the bourgeois discourse of the rights of man and place it directly into the context of the highly negotiated set of child rights that establishes a global social ethics to insist that theory make more than nominal room for children.

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[31] The child is "absent," for instance, in Jack Donnelley's treatment of rights in *Universal Human Rights in Theory and Practice*. Footnoting the work of the International Labour Organization (ILO) and the League of Nations' Minorities System, Donnelly notes that prior to WWII, "there was not even a weak declaratory international human rights regime (210). In his introduction "Children as Persons," Michael Freeman remarks, however, on two routes in the "gestation period" of the 1989 Convention: one traced to 1959, the other to 1923.

In sum, the metaphor of infanticide bears an accumulation of historical memories across a range of discursive locations and time. As my staging of the Burke-Paine-Spence debate below suggests, the identification, description, and location of both the agent and the victim of infanticide, and indeed the crime itself, are highly variable. In the next section of this introduction, I begin tracing an imperial path in the historical journeys of infanticide by dusting off the bones of a revolutionary event in which the global figure of the child was not yet formulated but, as the victim of child murder inciting a century-long social panic, was nevertheless everywhere the ground upon which a struggle for political legitimacy waged in the emergent discourse of human rights.

Part Two: Guides, Governors, and "Beasts of Prey"

Nature . . . treats them exactly as Sparta treated the children of her citizens: those who come well formed into the world she renders strong and robust, and all the rest she destroys; differing in this respect from our modern communities, in which the State, by making children a burden to their parents, kills them indiscriminately before they are born. (Rousseau *On the Origins of Inequality*)

States Parties recognize that every child has the inherent right to life. States Parties shall ensure to the maximum extent possible the survival and development of the child. (Art. 6.1, 6.2, *CRC*)

On November 1, 1790, just ten months after he denounced the advancing regicide in France in front of the British House of Commons, an outraged Edmund Burke published an extended version of his speech as *Reflections on the Revolution in France* (hereafter *Reflections*). Immediately successful in both France and England, *Reflections* furnished a conservative voice against the "unconnected" individualism of "œconomical" politicians defending the civil rights of bourgeois man (186, 174). In defence of the aristocracy's divinely granted hereditary, or natural, rights, the royalist Burke derided the revolutionaries' demands for those civil liberties conferred by democratic governance, which he described as a monstrous majority opposing a monarchical minority, a "parricide" performed as the "profane burlesque" of a vulgar "swinish multitude" (154, 161, 173). The history of western civil rights thus originated with a founding violence conceived as a collapse of paternal familial relations.

In figuring the mob as a child that should approach the divinely authorized state as to a "father, with pious awe and trembling solicitude," Burke castigated the followers of Rousseau's egalitarianism as the murdering "children of their country who are prompt rashly to hack that aged parent in pieces" (194). At the same time, conferring on the aristocracy the vulnerability and innocence generally attributed to newborn children, he sketched this image of "a groupe of regicide and sacrilegious slaughter" in Christian terms as a "great history-piece of the massacre of innocents," and paradoxically performed an inversion in which a regicide, figured as parricide, was produced as its opposite, as a Herod-like massacre of monarchical "infants" by some perverted authority (166, 171, 194).[32] From the outset, then, the social relations produced during the eighteenth-century rights revolution could be figured doubly as a parricide or as an infanticide.[33]

Contemporary criticism of Burke was mixed. While some critics attacked his loose style and sneering tone as much as his substance, others perceived the power derived from shunning "all the laws of vulgar method." Burke's correspondence reveals that he "was hurt, for, as much a model stylist as a statesman," the literary Burke tied cultural style to historical event in some direct relation of correspondence (O'Brien 50). According to *Reflections*, the vulgar prose of the mob mimetically reflected their actions: "The tongue betrays them. Their language is in the *patois* of [*fraud*]," a telltale register of the "mental blotches and running sores" of a perverted mind disposed to commit the parricide-infanticide (200-01, my emphasis). Notably, not only the violent crime of murder, but also fraud, criminal deception through false representation, informs this transitional moment in the discourse of (human) rights. Rights talk is haunted, then, not only by the violent crime of familial murder, but by issues of representation.

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[32] In a reading of the Revolution of 1789 in his introduction to Burke's *Reflections*, Irish diplomat and historian Conor Cruise O'Brien implies the infanticide lurking in his revival of the "subjugated knowledge" of parricide (Foucault *Power/Knowledge* 82):

> The spectre haunting Europe in *The Communist Manifesto* (1848), and haunting the world today, walks for the first time in the pages of Burke: . . . out of the tomb of the murdered monarchy in France has arisen a vast, tremendous, unformed spectre, in a far more terrific guise than any which ever yet have overpowered the imagination, and subdued the fortitude of man. (9)

The spectre haunting Burke's harangue against the civil, political, and property rights of man, and suggested in the double figure of a parricide that appears in inverted form as an infanticide, is distributive justice.

[33] Historian Lynn Hunt, in her study of *The Family Romance of the French Revolution*, notes that "the killing of the king was the most important political act of the Revolution and the central drama in the revolutionary family romance" (2). The death of the paternal head of the feudal social order and emergence of a new fraternal order required the forging of new affective relations. As Hunt's cultural study demonstrates, the rhetorical circulation of new figures helped to "concretize" abstract relations of power by conceiving them in terms of familial relationships between men and women and parents and children (8). Drawing from Freud's notion of collective unconscious in *Totem and Taboo*, of sons warring against the father, and Renè Girard's rejection of Oedipal desire in favour of a more general model of rivalry, Hunt traces a double metaphor of parricide and incest, rather than infanticide (a doubled child-loving/child-killing metaphor perhaps). Girard conceives the ritual sacrifice of the king as a means of restoring social harmony by displacing social violence onto a paternal scapegoat. The king stands as a surrogate victim, whose expulsion from the community will return the community to itself. Through its choice of victim, the community redefined itself and the symbolic cleansing allows the community to redeem itself (11). In Girard's model, "there are only brothers or enemies" (13).

From the outset of the Enlightenment focus on the rights of man and the citizen, culture, and so the child as the ideal subject of cultural tutelage, was inextricably tied to political representation. For Burke, false representation was responsible for destroying authority's hold on the minds of the people. Burke therefore proposed a conservative role for education, as the consolidation and preservation of an existing "system of manners," stating (204):

> Happy if learning, not debauched by ambition, had been satisfied to continue the instructor, and not aspired to be the master! Along with its natural protectors and guardians, learning will be cast into the mire, and trodden down under the hoofs of a swinish multitude. (172-3)

Against the revolutionary spirit of "contagion" and social movement for change, Burke valorized the role of education in upholding the spirit of ancient manners and ideas and the political status quo; and with his argument that education should act as a "compass" to guide civilization in acquiring a proper spirit of feudal servility, he brought cultural tutelage into the national political domain of rights struggle (173).

In his hasty rejoinder to Burke in the *Rights of Man: Being an Answer to Mr. Burke's Attack on the French Revolution* (hereafter *Rights of Man*), an enraged Thomas Paine agreed wholeheartedly that rhetorical style revealed habits of thought. And Burke's thought, he stated, exposed his worship of power over principles. Paine denounced *Reflections* as a "volume of outrage" producing the theatrical stuff of a rhapsodic imagination in which facts were "accommodated to produce . . . a weeping effect" (446). It carries no point at all, Paine disparaged; its points can only be inferred, and therefore "it is in his paradoxes that we must look for his arguments" (446, 453). A caustic Paine rebuked the paradoxical bent of Burke's "genius" and turned the metaphor of infanticide back on its head, making aristocratic children the prey of cannibalistic parents (437):

> [Primogeniture, the right of inheritance or succession by the first born son] is a law against every law of nature, and Nature herself calls for its destruction. Establish family justice, and aristocracy falls. By the aristocratical law of primogenitureship, in a family of six children, five are exposed. Aristocracy has never but *one* child. The rest are begotten to be devoured. They are thrown to the canibal [sic] for prey, and the natural parent prepares the unnatural repast. (478)

The relationship between a parent and his other offspring in such a system, Paine assessed, is disinheritance and a violation of natural rights that produced nothing but raw "flesh and blood" made illegitimate "bastards and orphans" (*Capital 1* 440; Paine 479). The French Revolution, he argued, would "exterminate [this] monster Aristocracy" and reinstate the "natural" relations between parents and children, thereby restoring the natural order between fraternal man, his *own* family, and his *own* society. As in Burke, the terror embedded in Paine's discourse of the civil rights of man and the citizen can be located in the polar opposition between adult and child troped as a double parricide-infanticide metaphor. At stake in the bitter quarrel between monarchical "sycophant" and fraternal man, however, was the same self-interested claim to the right to property, differently dispersed (479).[34]

I have set out in shorthand the story of infanticide embedded in the early discourse of rights in part to dispel the relativist notion that "human" rights are western-centric, a notion that often arises from studies that begin with the French Revolution, for as Ignatieff remarks, human rights are "increasingly seen as the language of a moral imperialism" ("Human Rights as Politics" 20).[35] In both sides of the Burke-Paine debate, however, the child-victim embedded in the trope of infanticide suggests a different trajectory for an analysis of global human rights. Although generally acknowledged as emanating from the age of European Empire-building, a relativist account of rights that presumes the values encoded are western does not travel an imperial route of investigation, which I begin in chapter one of "Reforming the Child: Human Rights as Global Tutelage." While many scholars locate the emergence of rights discourse in the European Enlightenment, I offer historian Thomas Laqueur's easy assurance by way of example: "Its history [the juridical development of 'human *rights* instruments'] begins, *of course*, in the Enlightenment" ("The Moral Imagination and Human Rights," hereafter "The Moral Imagination," my emphasis 128). Although it is fair to say that juridical rights instruments emerged during the eighteenth century in the Revolutionary *Declaration of the Rights of Man and of the Citizen*, when we add the figure of the child to this account, Burke's paternal or Paine's fraternal formulations of rights appear as mere fragments of the totality of rights that cannot yet be labelled "human" rights.

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[34] In the ensuing debates of Mary Wollstonecraft and Thomas Spence, for instance, Paine's "man" is a narrow construct that excluded women and children. Wollstonecraft addressed the exclusion of women in her immediate response to Burke. Moreover, in her indictment in *The Wrongs of Women; or Maria* (1798) of a penal system constituted and defended by "coldblooded moralists," she also introduced the possibility of infanticide in the context of defending the romanticized protective role of the mother. Wollstonecraft demonstrates that the survivor of another form of infanticide, the baby farm run by an "impassionate" nurse hardened by poverty who had no pecuniary interest in the survival of the children in her care, is "nobody's child," but rather a slave labelled "Glutton, Liar, or Thief" (53, 56). Abused and abandoned, these infants became "the refuse of society" (58). (This figure of refuse will re-emerge in my chapter four in the context of Australia's violation of children's rights.) Although she demonstrates some of the dangers to newborn children, Wollstonecraft falls in with Adam Smith's notions of morality, that a mother's "natural affection" is the best protection for her "innocent fruit," and she is thus interested in championing the rights of women, especially their property rights, and not specifically the rights of children (97). Although women's and children's right intersect, they are not identical.

[35] A relativist argument holds that "universal" moral claims derive from within a culture and express the values of that culture. Relativists maintain that current norms focused on the individual are "western" biased and ethno-centric, while universalists argue that the rights of the person are inalienable and agential. However, although some advocates of "Asian values," for example, have argued that human rights are western and antithetical; as economics professor Amartya Sen states, "[c]ultures and traditions overlap over regions such as East Asia and even within countries such as Japan or China or Korea, and attempts at generalization about "Asian values" (with forceful—and often brutal—implications for

Burke's rights are "natural," or divinely granted, rights for the elite, while Paine's are the contractual civil and political rights of the self-enabled and self-provisioning.[36] The stake in both is the ownership of property for a particular segment of society. Nevertheless, both arguments negatively contain the missing fragment that involves the full package of human rights, for captured in this debate, is the child at the heart of the double infanticide-parricide metaphor that marks the inseparability of the child from the society in which it is embedded. The trope of infanticide in these texts encodes the violation of the basic social right to

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masses of people in this region with diverse faiths, convictions and commitments) cannot but be extremely crude" (232).

[36] Contract, or fraternal, law establishes a relationship between equals, and thus excludes as minor or marginal, those members of society not considered equal.

distributive justice. Laqueur is right in claiming that rights instruments emanate from the French Revolution, but these rights are not fully "human" rights until "the child" as a "person in his or her own right" with partial agency is added to the paternal-fraternal mix, and the moment the child intervenes in the debate, the discourse of rights necessarily changes (*CRC*).

I place these arguments alongside one another, in part, to demonstrate the interchangeability of the agent and victim of violent familial crime resident in the discourse of the rights of the man and the citizen. In revolutionary rhetoric, the victim of infanticide was alternatively the paternal ruler, his unprotected children, or the unruly bourgeois mob in general. In each argument, the metaphor of infanticide symptomatically erupts as the trace of a child denied its basic right to life, without which all other rights have no relevance. In each argument, too, the trope of infanticide marks a violence, the trace of a child *at risk*. In observing the infanticide symbolically ghosting the Enlightenment discourse of rights, my study assumes that unchecked liberty advances on its opposite, on an unspoken logic of repression of those identified as the agents of infanticide, however infanticide is defined.[37]

Adding the child to the discourse of rights-as-global-tutelage shifts the ground of the Burke-Paine debate, a debate that makes death the precondition of unrestricted individual rights loosed from their social obligations and responsibilities. Through a reading of infanticide, I will argue that when the figural child is brought to life, as the survivor of child murder, the question of equitable resource distribution lodged in the revolutionary discourse of rights displaces and the child transforms: the child *at risk*, the victim of infanticide becomes the scapegoated child *as risk*, the juvenile delinquent, and some homicidal baggage carried over from previous times and places gets transferred onto this disenfranchised figure.

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[37] Throughout this period of revolution, infanticide functioned in Britain as a generative metaphor (a metaphor that both informs and reframes each discursive event in which it emerges, generating new meaning) for conceiving the monarchy and the masses both as perpetrators of child murder, figured respectively as paternal oppression and unruly revolution.

I identify infanticide as the shadow text of unfettered entrepreneurial man's claim to unrestricted rights to argue that infanticide symptomatically marks some legal and/or ethical impasse in the struggle for survival between free-trader *vulgaris* and the child. Consequently, if we are to take children and their rights seriously, I claim, we ought to read the tropes of infanticide and juvenile delinquency marking the limits at which an analysis of human rights is compelled to work. To make this argument, I construct a genealogy of the discourse of rights by tracing the nineteenth-century tropes of infanticide and juvenile delinquency, which centre an illegitimate or deviant child-figure that focuses some social panic. Since adding the child expands the compass of the discourse of rights, my study locates the child as a mechanism of intervention in the Burke-Paine rights quarrel by taking a slightly different Enlightenment point of departure.

In response to Burke's infamous phrase labelling the revolutionary mob a "swinish multitude," the young British revolutionary Thomas Spence published a penny periodical entitled *Pigs' Meat; Or Lessons for the Swinish Multitude* (1793-1795). Spence was an early supporter of Paine's formulation of rights, who eventually condemned Paine's failure to advocate for public ownership of land. In his radical journal, Spence eventually circulated his own version of the "Rights of Man," which outlined his objections to Paine's exclusive, bourgeois theory of social security based on contractual social relations. Spence reformulated the figure of infanticide by reversing the Burkean idiom of an innocent aristocracy and figuring the impoverished populace as the infant-victim of economic oppression.

According to Spence, the hideous child-killer in the discourse of rights is the parish that gives away its commons to the "devouring landed interest" of the few, "as if they had manufactured it and it had been the work of their own hands" ("The Rights of Man" 60, 66). Such parishes, he challenged, "shall be looked upon with as much horror and detestation, and used by them as if they had sold all their children to be slaves, or massacred them with their own hands" (63). In Spence's view, the agent of infanticide becomes at once the landed aristocracy, the colluding parish, and, more generally, economic tyranny:[38] "These Molochs of landed oppression," this "band of robbers," Spence stated, were but "beasts of prey" letting "the blood of the millions of innocent babes" (7). Shrewdly, Spence identified Paine's "man" as an exclusive, self-interested creature, which he confronted directly with the nation's children in another incendiary pamphlet entitled *The Rights of Infants* (1796). Here was a formula not for "man's," but, perhaps taking up Mary Wollstonecraft's rebuke of Burke, women's, and most innovatively children's rights.[39]

Condemning the paternal system of primogeniture, Spence argued not only for agrarian reform, but also for the redistribution of resources, arguing that trade and commerce profited only the landed interest and denied the masses their common inheritance. To underscore the exploitation of the common wealth by the privileged few, Spence's concept of

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[38] I figure some version of this formula interchangeably as *homo œconomicus*, global economic man, and free-trader *vulgaris*.

[39] *The Rights of Infants* precedes by two years Thomas Malthus's enormously influential *Essay on the Principle of Population*, in which Malthus (the "master in plagiarism," in Marx's phrasing) suggests child murder as one of *nature's* checks and balances for population control. On overpopulation, Malthus states (qtd. in *Capital* 1 639):

> the only way of accounting for the difficulty, with our present knowledge of the subject, appears to be that the redundant population, necessarily occasioned by the prevalence of early marriages, must be repressed by occasional famines, and by the custom of exposing children, which, in times of distress, is probably more frequent than is ever acknowledged to Europeans.

"natural" rights shifted authority from Burke's divinity to the environment. *The Rights of Infants* deploys a vegetative metaphor for feudal relations in which "[a]ll dominion is rooted and grounded in land, and thence spring every kind of lordship which overtops and choaks all the shrubs and flowers of the forest" (Preface 4). Influenced by the colonizing impulse to "plant" land, nineteenth-century writers readily took up this metaphor particularly in the context of managing children where moral philanthropist and social engineer alike assisted the Solomon of resource distribution in splitting Spence's unified child-figure. Burdened by this territorial concept-metaphor, urban children became either tender plants in need of careful transplanting into the healthful rural regions of the nation or noxious weeds to be uprooted from pestilential streets and transported to the under-populated reaches of the British Empire. Thus a national liability—the surplus child, the human detritus of overpopulated city slums—transformed into an imperial asset.[40]

Spence opposed the fraternal tendency to self-help and self-protection and the limited care of one's own child and argued for the redistribution of resources, rather than the distribution of children. However utopian, his scheme set out a nascent concept of social welfare as an essential part of a more equitable distribution of resources in which children's rights included not only the basic survival rights of good nursing, cleanliness, comfortable clothing, and lodging for infants, but an equal share in the common resources for mothers—and also for *every child*. Spence had individualized the child. Historically in the struggle for social justice, then, adding the child to the discourse of rights has been a strategy of resistance; consequently, child rights are not some mythic set of unified, universal western rights, I suggest, but the necessary condition for advancing global social equity, for the child comes attached to a community.

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[40] A full-scale operation of "rescue" began with Lord Shaftsbury's introduction of naval training and reformatory ships on the Thames River. Influenced by Shaftsbury, Thomas Barnardo gave up his plans to go the mission fields of China and pioneered the enterprise of emigrating impoverished children as a solution to urban problems. Barnardo's, and many other charitable organizations established by Kingsley Fairbridge, Maria Rye, Annie MacPherson, the Catholic Father Nugent, etc. made the abduction of children—catching them from "degenerate" parents whose only crime might be the condition of pauperism—their aim. As James Walvin notes, "the emigration of children became a major business," and little thought was given to what might become of the children once they had settled in the far-off reaches of the Empire (157).

The revolutionary *Convention on the Rights of the Child* brings children's rights to globalization bearing the fingerprint of Spence's rights of infants. In Spence's wake, any theory of human rights invested in a politics of global social justice ought to bear in mind materialist feminist Rosemary Hennessy's succinct identification of the problem for global theory, for *The Rights of Infants* is an important harbinger of Hennessy's theoretical task. As Hennessy notes:

> While the democratic impulse of distributing power equally among the people lies at the heart of emancipatory movements like feminism, socialism, or anticolonialism, any notion of power that ignores the relationship between equal rights and the ways divisions of labor or allocations of resources effect social equality re-enacts the liberal project of political reform. *Here 'rights' and political equality are extended in one sphere even as the relationship of this enfranchisement to the unequal redistribution of resources in another sphere is ignored.* (26, my emphasis)

Recognizing that social justice must be predicated on the child's right to individual protection and social security, which entails the right to distributive justice, Thomas Spence temporarily centred children in a discourse of *human* rights that lay dormant for nearly two centuries—until the advent of the1989 *Convention on the Rights of the Child*.

This revolutionary legal instrument conceives child rights as both moral entitlement and legal instrument, as a partially normative, culturally flexible, self-imposed ethical and juridical set of principles for developing a global social ethics. The *CRC* establishes an intensely negotiated set of guiding principles that does not impose outsider cultural values, but those values common to all cultures or consented to—provided external assistance is forthcoming.[41] Although the formula is not in itself prescriptive, the vision of the *CRC* requires its signatories to adhere to a set of principles that encode both moral tutelage and legal governance, for it is not only, as nineteenth-century British imperialists recognized (the subject of chapters one and two), that managing the child secures repressive power's entry into the family as one avenue of access to the nation, but also, as paternal nationalists saw it, that tutoring the child brings culture as disciplinary power to the family and so to the nation (the subject of chapter three). What is unique to the *CRC* is that while it offers enough flexibility to allow for cultural differences, it also provides a loose framework of principles by which all signatories have agreed to be bound legally. This makes it at once too soft for radical universalists who would "impose" their own laws in its implementation, and too proscriptive for radical relativists fearing cultural pollution. Uniquely, the child of the *CRC* expands the cultural dimension of the discourse of rights, removing it from the confines of narrow nationalism to enable cross-cultural dialogue, for, as I will argue throughout, the child brings human rights as tutelage to the global arena.

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[41] With the end of a Cold War concerned with issues of security over those of justice, the debate on establishing norms, values, and standards in such areas as international law, political economy, and human rights has resurfaced. Generally considered to be liberal idealism, normative theory revives apace with neo-liberalism. This debate has arrived, however, at considerations of the double existence of "man" as "citizen," as a member of a particular and a universal community (Linklater in Evans and Newnham). Normative, or prescriptive, theory determining how things ought to be now includes considerations of obligation and dissects "the moral significance of the autonomous state" (Evans and Newnham 383). Challenges to the Enlightenment project conceived as the death of man throughout the latter part of the twentieth century were accompanied by a general social panic over "the child" (Wallace "Technologies"). The *Convention on the Rights of the Child* intervenes in this debate, moving it away from neo-liberalism (market rule, deregularization, privatization, the elimination of social security, etc.) by introducing the child as a cross-cultural enabler. The *CRC* treads a fine path between normalization as cultural imposition and cultural autonomy.

Part Three: Child Rights as Global Tutelage

When the house is guarded, the street is policed, the shares are purchased,
then we feel safe, defended against the indeterminate actions of others. (McSweeney 13)

I hate rich people. I would like to take revenge against them.
If you have money, you have friends. If you have no money, you have no friends.
I would like to sleep in peace. To have any place to sleep.
People think they can do whatever they feel like doing to us.
(Dale, Exhibit 59) [42]

One of the key terms of my tracing of infanticide in the context of human rights-as-global-tutelage is the child victim at the heart of the trope of infanticide along with its shadow figure "the disaffiliated, or illegitimate, child," which is a reference to any child that falls outside its rightful social condition of nurture and well being.[43] In pointing toward the need for a theory of the child as a subject-citizen, Jo-Ann Wallace notes that since theories of the child rose alongside theories of the man, with the critique of Enlightenment man in the second half of the twentieth century, social panic set in around his symbolic heir: the child has an essential relation to tutelary power. Providing a site for paternal protection, the sanctioned child helps reinforce the normative values of good governance and an accompanying set of dependent familial relations established earlier by such Enlightenment thinkers as John Locke and Jean-Jacques Rousseau, both of whom are credited with influencing the construction of universal rights (Wallace "Technologies" 297).

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[42] Here are the voices of Bangladeshi street children featured in the travelling art exhibition *Children of the Wind, Les Enfants du Vents* organized by Canadian ROM curator Linda Dale. These epigraphic voices have not been monumentalized, the name engraved for posterity, but museumized, the name withheld. These children provide the shadow text to my defence of bringing children's rights to adult-centre rights debate.

[43] Throughout, the term "illegitimate" stands as an abbreviation for all children who, by the withholding of their fundamental human rights, have not been legitimated.

In 1690, Locke's figural *father* subjugated his child; the father ruled his little "empire" as a "kind of dominion." Although Locke supported the revolution for government against monarchy, his metaphor for the parent-child relationship was conservative in that it drew from an older monarchical lexicon. Not only the discourse of natural rights and divinity, but that of liberalism, then, has recourse to the natural child. The nostalgic backward-look marks a longing to preserve the relation of full dependency between parent and child that underwrites paternal power. Although he argued that children are born free and equal by nature, Locke's child combines paternal and fraternal relations of power to create a corporatist social metaphor that combines hierarchical with egalitarian principles.[44] In Locke, a corporatist child is born to encode international relations as a relation between an abjectly submissive child and its authoritarian parent (Waldron 8):

> *Sec. 73.* [Inheritance] is no small tie on the obedience of children: and there being always annexed to the enjoyment of land, a submission to the government of the country, of which that land is a part; it has been commonly supposed, that a father could oblige his posterity to that government, of which he himself was a subject . . . . By the reward they have in their hands to inforce and recompence such a compliance; and is no more power than what a French man has over an English man, who by the hopes of an estate he will leave him, will certainly have a strong tie on his obedience:

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[44] As Mary Ann Clawson in *Constructing Brotherhood* conceives it, the social metaphor of brotherhood expresses hierarchical as well as egalitarian assumptions about human relations. Fraternalism synthesizes the values of capitalism, offering a vision of mutuality, while at the same time, failing to undercut the ideal of the self-made man. In corporatist ideology, human ties are indissoluble; therefore, groups and not individuals are the basic units of society. People act primarily as fraternal members of collectivities, yet social institutes are governed hierarchically, paternalistically: "Corporatism is the social metaphor that most forcefully asserts that unity of interest is compatible with hierarchy and inequality" (39).

> and if, when it is left him, he will enjoy it, he must certainly take it upon the conditions annexed to the possession of land in that country where it lies, whether it be France or England. ("Of Paternal Power")

In the space of a few phrases, Locke slips from the "obedience of children" to their parents to their "submission to the government," through their annexation to land. Locke speaks in absolutes, each assertion incontrovertibly ("always," "certainly") decided, moving resolutely toward stating the nature of bipolar international relations. Marking the territorial grasp of his political desire, Locke's child provides the bridge for transferring the abstract currency of obedience, submission, obligation, and honour owed the sovereign father from the dependent child to the dependent state, and beyond.[45] By 1762, Rousseau, whose theory was highly influential in nineteenth-century imperial Britain, marked the shift to democratic governance by creating a passive child dominated by a vigilant *governor* ("Of Paternal Power"; *Emile* 68). From Locke's subjugation by a father-king to Rousseau's domination by a governor, the child served as a conduit for naturalizing significant shifts in dependent tutelary nation-state relations concretized by troping family relations.

I bring the child to the moral-juridical human rights table, as I have stated, by weighing into the adult-centred debate between Thomas Laqueur and Michael Ignatieff, who ask respectively: are human rights local and moral or are they transnational and agential?[46] Concerned to bypass "moral universalism," Ignatieff argues that rights should be used as transnational linguistic and political tools of individual agency, while Laqueur claims human rights theory is too abstract ("Human Rights as Politics" 10).[47] According to Laqueur, we do not need to expand the "domain of obligation" at the international level ("The Moral Imagination" 129). Laqueur criticizes such universalism:

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[45] Colonial imperialism re-forms the parent-child relation as one of economic and cultural oppression. As Thomas Babington Macaulay noted of the Directors of the East India Company, their contradictory messages to England amount to "Be the father and the oppressor" (see Macaulay *Critical and Historical Essays 1*, etext; qtd. in Bhabha in Wallace "De-Scribing *The Water-Babies* 180). Infantilizing "the Bengalee," Macaulay further writes: "The race by whom this rich tract was peopled, enervated by a soft climate and accustomed to peaceful employments, bore the same relation to other Asiatics which the Asiatics generally bear to the bold and energetic children of Europe. . . . There never, perhaps, existed a people so thoroughly fitted by *nature* and by *habit* for a foreign yoke" (*Critical Historical Essays 1*, my emphasis).

> the abstract 'human' is easier to cherish and respect than the all-too-real creature next door. In one sense this may seem to be the dilemma of Dickens's Mrs. Jelleby, who

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[46] This moral-agential thread nuances the ongoing "relativist" or "universalist" debate among human rights theorists. Post-colonial discourse studies, through the work of such critical theorists as Homi Bhabha, Sara Suleri, Gayatri Spivak, et al., demonstrate the mutual if uneven exchange between cultures in the global matrix of ideas, values, beliefs, and perspectives. Ashcroft, Griffiths, and Tiffin explain:

> In pushing the colonial world to the margins of experience the 'centre' pushed consciousness beyond the point at which monocentrism in all spheres of thought could be accepted without question. In other words the alienating process which initially served to relegate the post-colonial world to the 'margin' turned upon itself and acted to push that world through a kind of mental barrier into a position from which all experienced could be viewed as uncentred, pluralistic, and multifarious. Marginality thus became an unprecedented source of creative energy. (12)

Thus, the marginal child provides a source of energy, yet if it remains segregated its work remains marginal.

[47] In an essay reviewing current Canadian debates, W.A. Bogart provides a cautionary note, listing some of the problems with the expansion of judicial power: costs "privilege the powerful and organized"; rule by judges limits democratic participation, and ultimately greater justice comes from legislation (123). Bogart concludes that the belief in "the triumph of rights over politics" is romantic (Rosenberg in Bogart 129). He states:

> [T]here may be a naïveté among public-interest groups who assure that they know the pitfalls of litigation and who use it only as 'a tool' so that both legislatures and courts can be harnessed to reform. . . . The danger is that judicialization of social issues may become so strongly entrenched that these groups will become constrained by the very process of litigation they now seek to utilise when other divisions of government resist their claims. (128)

This is why Ignatieff claims rights can only be a minimal claim from below and not "a set of moral trump cards" to be played from above (21).

> cares so deeply for the children of some obscure African country while her own children run wild. But not quite. (135)

"Her children did not murder one another," concludes Laqueur, referencing Rwanda, Bosnia, and Sudan (135). Ultimately, he argues, we need to support "the social and cultural conditions under which *neighbors* can cease to regard one another as incompatible with civilization" (138, my emphasis). According to Laqueur, necessary repressive apparatuses emerge at the local level through developing local political cultures where neighbours, or "intimates," must learn to tolerate one another (135). The source of Ignatieff and Laqueur's disagreement is in part the nature of the relationship between due process and ESC rights. And this is the point in the discourse of rights where the child steps in.

Where Ignatieff claims that political rights are the *precondition* for struggling to gain social rights, Laqueur maintains that political rights are *dependent on* local social and cultural conditions. The danger of remaining at the level of local struggle, however, as Marx observed in the nineteenth century, is the lack of broader representation, or as Foucault formulates it, "the risk of being unable to develop human rights struggles for lack of a global strategy" (Foucault "Truth and Power" 1143). In his response to Laqueur, Ignatieff notes that human rights are not limited to juridical power, nor are they "just the attenuated secular form of Christian duty." What is new about human rights is the way they empower individuals to help themselves, rather than conceiving them in a repressive tutelary relation, as "dependent beneficiaries of *our* moral concern" ("Dignity and Agency" 163, my emphasis).[48] Human rights provide essential "checks and balances against coercive development strategies" and policies, and these, he agrees with Laqueur, are worked out at the level of local politics where "power translates itself into legitimate authority by exploiting and using the tradition and symbols of the local political culture" (172).

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[48] Ignatieff does not make clear to whom the pronoun "our" refers.

I want to enter this adult-centred debate by taking Thomas Spence as my point of departure for introducing the child of rights, for children's rights do not fit into neat divisions of rights as being either moral or legal and local or global or, for that matter, cultural or political.[49] The child of the *Convention* brings these rights together into a mutually dependent rather than a consequential relation. Adding the child to this debate, then, changes everything. Importantly, as Philip Veerman points out in his detailed study of the changing concept of childhood for human rights, the definition of child rights depends for its meaning on the prevailing image of childhood. When the image of the child changes so the ideas about rights change. In other words, rights are constructed and rights language is not self-evident. The image of the child is also constructed; therefore, to read reformations of the child and the childhood it sanctions is, as Laqueur suggests, to turn to culture where the propaganda, myths, and miracles in stories written for and about children provide coordinates for mapping such change in the discourse of human rights-as-global-tutelage.[50]

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[49] Anne-Belinda S. Preis does something similar for anthropology, working with a broad anthropological definition of culture. She states:

> [R]ecent anthropological reflections on the notion of culture might contribute not only to pushing the universality-relativity debate out of its present stalemate, but also to assisting in the formulation of a more promising framework for comprehending the real and symbolic dimensions of the current flows of human rights values in what we used to call 'foreign cultures'" (289).

[50] While Veerman concludes that we should think of rights not as entrenched entitlements, but as social goals, given his argument that ultimately human rights is an issue of education, a key disciplinary apparatus of the nation-state, his dismissal of Foucault's notion of knowledge as power is curious, particularly as Foucault's theory is so bound up with the notion of the child as the site on and through which disciplinary power was formulated in the nineteenth century (18). See Foucault's *History of Sexuality*. Veerman states: "Others believe that education does not have a liberating effect in the intellectual sense. Foucault demonstrates, for instance, that education produces people according to qualification and

Governance, or tutelage, in Foucauldian terms, "is rooted in a whole series of multiple and indefinite . . . relations" of power, and no understanding of power can proceed without considering both its formal and informal mechanisms and apparatuses (Foucault "Truth and Power" 1140). Cultural tutelary mechanisms and jurisprudence work in conjunction with one another, and whether they function to conserve, resist, or intervene in the status quo, they are interdependent and mutually shaping. As Foucault states, "an explicit, coded and formally egalitarian juridical framework" constitutes "the tiny, everyday, physical mechanisms" of disciplinary power (*Discipline and Punish* 222). The same is true for the reverse. Local, "multiple forms of constraint" derived from "the politics of truth" equally construct and shape the juridical ("Truth and Power" 1144). To make his argument based on the separation between rights as jurisprudence and rights as education, however, Veerman dismisses the notion of their co-dependence. Yet, the *Convention on the Rights of the Child* strengthens protective child-centred jurisprudence as, at the same time, it guarantees children the cultural rights to a voice and an education, encoding both socio-political responsibility and individual agency. The very strength of child-centred human rights is that, in staging a model for a non-sentimental global ethics, it bypasses the limitations of regime theory's negative repressive apparatuses by bringing such tools of agency as literacy and access to culture to the human rights table.

I begin, in the next chapter, by taking the eighteenth-century discourse of rights with its embedded trope of infanticide into the British Empire, where it served to deflect attention

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social norms, that it has a repressive nature, and that it amounts to nothing but exertion and restriction" (18). Veerman's negative view of Foucauldian power seems to be a misreading, however, as Foucault claims the circulation of power can be used both negatively and positively.

from raw economic rapacity onto various philanthropic missions of child-saving.[51] In mid-nineteenth-century Britain, the staging of infanticide as a crisis of illegitimate birth was incited by changes to the bastardy provisions of the 1834 New Poor Law Amendment Act. The problem of legitimacy was staged differently in India however.[52] While in Britain the agent of infanticide was an unnatural, immoral individual, an unmarried woman ridding herself of her illegitimate offspring, in India, she was a married, but inaccessible figure of statistical inquisition.[53] From the outset in India, criminality was not a problem of individual immorality, but of the "habits and inclinations" of politically insubordinate tribes (Satadru Sen 58; Society for the Improvement of Prison Discipline qtd. in Wiener 46). Yet, while the courts were lenient when sentencing individual women for the crime of infanticide in Britain, in large part because it was difficult to positively declare that a crime had been committed, the social anxiety this leniency produced was displaced onto the pauper class as an issue of collective degeneracy: all those outside the Burke-Paine debate would become interchangeably infantilized, criminalized, and racialized. To regenerate the savage social body, first in India and then Britain, required cultural intervention, for group degeneracy demanded a different means of control than did individual moral failing.

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[51] See Josephine McDonagh's reading of Swift, Malthus, and Mandeville, for a fuller treatment of this idea.

[52] In Britain, the social panic over child murder was not put to final rest until the Children's Act of 1908, which among other things established the system of juvenile courts. According to Harry Hendrick, however, the juvenile court dealt with, and confused, notions of the deprived and the depraved child.

[53] I do not deny the pre-contraceptive historical problem of child murder in India or in Britain. The problem continues today in many places, including India, in the technologized form of sex-selection sometimes labelled "femicide." I am interested here, however, in how, in moments of social panic, "the child"—and in this case the child denied the cardinal right to life—gets staged to legitimate particular relations of power, especially when other familial terms—mother, father, brother—inhabit the discourse to configure particular sets of relations.

In the history of unprotected childhood, I will demonstrate, the parricide-infanticide embedded in the French Revolutionary rights debate resurfaced in the imperial event of Britain's "discovery" of infanticide in India. The appearance of infanticide early in the nineteenth century legitimated Britain's access into troublesome Indian communities identified as child-murdering tribes where the British experimented with various repressive and tutelary measures to control uncooperative populations. The construction of child rights in Britain could not have developed without the complicities of empire; thus, adding a postcolonial history to the global discourse of human rights broadens the theoretical lens that narrowly presumes a continuous European history. While adding rights to British colonial history takes a slightly different path than that of a classic postcolonial study, tracing the "outbreak" of infanticide in India takes a route not generally followed in the history of global human rights.

To give this work a global aspect, I start by charting an early intersection of British imperial and human rights histories by locating the child-victim of infanticide in the struggle between the British Empire and the US American South for control of the world's cotton market.[54] In the late-eighteenth century, the discourse of (human) rights began to find legal expression, in such documents as the French *Declaration of the Rights of Man and of the Citizen* and the American *Declaration of Independence*. The subsequent debate over the meaning of these rights fueled international efforts to abolish the slave trade that culminated in the US Civil War. As Michael Ignatieff puts it, "[a]ll human rights activism in the modern world properly traces its origins back to the campaign to abolish the slave trade and then slavery itself" ("Human Rights as Politics" 10).[55] From the outset, then, the history of rights was tied to issues of trade and the exploitation of labour on a "global" scale. Ignatieff notes that while early activists may have conceived of slaves as brothers—a notion espoused in the antislavery slogan "Are we not brothers?"—in this "first instance of an international politics of human rights," they were "also as dependents in tutelage" ("The Moral Imagination" 135; "Dignity and Agency" 163). Unfettered by social, economic, and cultural rights and obligations, the rights encoded in these instruments carry a logic of dependency encoded as familial violence.

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[54] Michael Ignatieff terms the slave trade "the globalizing industry" of the time ("Dignity and Agency" (162).

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[55] To bring the US into this postcolonial analysis is also to acknowledge Marx's identification of the relation between Britain and "the two major foci of crisis between 1825 [stock market crash] and 1857 [the mutiny], America and India," as important powers at the onset of the (information) technological "girding" of "the whole earth" (*Capital 3* 164).

Chapter One

Reforming the Empire: Staging Infanticide—In the Name of the Children

The images of Western imperial authority remain—haunting, strangely attractive, compelling. (Said, *Culture and Imperialism* 110)

To bring child rights via the absence of rights figured as child murder into the twenty-first century (chapter four), I begin this chapter with an inversion of infanticide, as a "parricide" of the Mughal rulers in British imperial India by their infantilized sons. As historian Barbara Ramusack notes, the British did not *create* the Indian princes, but rather coerced the existing kings or rulers into subordinate positions and clinched the new relation by renaming them "princes" (48). This new category enabled the psychical transposition of childish elements onto the newborn Indian "sons," whose very existence was then predicated on a parricide—the murder of the fathers. At core, the inversion of infanticide as parricide, or vice versa, has little to do with age-based definitions of "parent" or "child," for the figures are not only changeable, but interchangeable. The mutability of the figures caught in the doubled trope of infanticide-parricide enables the transference of properties between the infant child and the infantilized adult, for just as the child does not come in a vacuum but in a relation to some entity figured as parent, infanticide as a group-perpetrated act comes in a relation of inversion with social parricide.

I begin this chapter with an odd polemic text to illustrate the rhetoric marking the international rivalry between the waning British Empire and the nascent US economic empire, each with its commercial eye trained on nothing less than "the whole world," which provides a global symbolic currency linking the international division of labour to the nascent discourse of human rights (Phipps 447). I note the US stake in British imperial relations with an exposé on British imperialism, "East India Cotton," published in the *South*

Quarterly Review (1842) by John Phipps, a resolute champion of the slave trade, as one encoding of broader global economic investments in the discourse of emancipation. As both the East India Company and the Confederate South looked to India to retain their share of the imperial marketplace, the symbolic capital carried by the trope of infanticide marks the disruption of the international division of slave, indentured, and industrial labour figured as the rights-violation of an infantilized Indian people.

The East India Company's attempt to control its Indian subjects through land redistribution and revenue collection proved inadequate to legitimating their authority.[56] As anthropologist Bernard Cohn points out, initial efforts by the private company to establish legitimacy for operating as a state in India failed dismally, and the British needed to acquire not only economic but moral authority. Company officials soon "discovered" a correlative obligation in "the art of government" and constitutional concerns began to underwrite the building of the "administrative instrumentalities of rulership" (Cohn 133; Foucault "Governmentality" 89). By the end of the eighteenth century, revenue collectors in the field began discovering, and periodically rediscovering, their duty to protect the state's "lost" children, thereby providing a complementary "rationality" to economic exploitation (Foucault "Governmentality" 89). Once authority was secured, however, the child-saving alibi was abandoned. This chapter explores the child in terms of its use-value, for the historical event of killing girl babies is not in question. But the use to which this knowledge was put reveals investments that went beyond "saving the child" to the enterprise of establishing and legitimating new relations of power in the shift from company to state rule, from non-intervention to dependency.

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[56] Cohn notes that "[a]fter 1765, the British so badly managed the task of assessing and collecting land revenue that within five years they found their actions had caused a horrendous famine, in which they estimated that a third of the population of Bengal had died. The famine left in its wake large tracts of land that were uncultivated and rapidly turning into wasteland" (134).

"East India Cotton" indexes the link between infanticide and economic imperialism. From the standpoint of a pre-Civil War American South, Phipps warned his generally refined and intelligent reader, who, he assessed, was backsliding on one vital issue, that cotton was a shared stake between these two economic rivals (475).[57] Phipps argued that the East India Company's logic in inciting a war that would eventually intervene in the "holy Union" of America was structured not on a humanitarian impulse, but on profit and loss, the desire to monopolize the cotton trade by abolishing slave labour in the West Indies and in the Southern States (493, 452). In his analysis of labour-exploitation in India, Phipps troped a violent set of "republican" familial relationships to embody the threat not only to the South's coffers but to the very fabric of plantation order (447, 492). "Our Southern States and the British possessions in India are rivals in agriculture," he began, and then reiterating the anxiety of imperial rapacity, he exposed the South's global reach: the East India Company "is the *only* commercial rival which New Orleans has to dread in the *whole world*" (447, my emphasis).

The object of Phipp's censure was the anti-slavery society in Britain, the "political school" of the East India Company, whose tutelary reach across Europe and throughout America he found terrifying (455). The company's aim in abolishing the slave trade in the West Indies, Phipps charged not without justification, was to increase its profits in the East Indies where it was putting mistreated "Hindoos to profitable account, exploiting cheap labour" (492).[58] As Sara Suleri formulates such relations, the essay's "own anguished intimacy with the object of denunciation" allows it to structure the struggle in terms of a violent disruption of sovereign authority, in which, according to Phipps,

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[57] The conservative *Southern Quarterly Review* was a respected periodical running from 1842 to 1857.

> the rightful sovereigns of Hindostan . . . were sold and resold, like cattle in a fair . . . . Some princes were sold to their own children. The company, exciting *the children to a parricidal* war against their parents, put them in possession of their parents' dominions, on the condition of hereafter being tributary and dependant [sic] on the company. (Suleri 48; Phipps 459, my emphasis)

Bemoaning the "death" of the ruling class, "East India Cotton" joins Britain in infantilizing the Hindu populace. But, Suleri observes, "to tell the history of another is to be pressed against the limits of one's own—thus culture learns that terror has a local habitation and a name"—and the name of terror embedded in "East India Cotton" is "parricide" (2).[59] "East India Cotton" not only indexes the South's engagement in the buying and selling of people like cattle, but by renaming the international division of labour a "parricide," it prefigures the violence of a civil war in the US that would structure itself fraternally as brother against brother, one bent on dismantling the house of master-slave paternalism, the other on its preservation—in the name of the father—as an inscription of the proper patriarchal ordering of social relations (460). Overdetermined by questions of race, labour, government, and the monumentalizing truth-effects of art, the rhetoric of "East India Cotton" entrenches in militarism:

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[58] V.G. Kiernan concurs: "Old land-tenures were replaced by British laws inspired by competitive individualism, with the effect of ruining a good part of both the peasantry, accustomed to a semi-communal occupancy of village lands, and the old gentry" (38). Footnoting *The White Sahibs in India* (1837), Kiernan notes of indentured labour in the indigo and tea plantation systems, for instance, that the planter's standards "had been formed too much by the American slave-plantation. . . . Charges against them of flogging and otherwise maltreating peasants were found by the authorities in 1810 to be undeniable; but the evils went on" (60). By 1842, "the peasantry of Bengal was said to be 'trembling on the remotest verge of human misery and brutalization'" (46).

[59] Marx states of English power in India:

> More than that of any other nation, the history of English economic management in India is a history of futile and actually stupid (in practice, infamous) economic experiments. In Bengal they created a caricature of English large-scale landed property; in the south-east they created a caricature of peasant smallholdings. In the north-west they did all they could to transform the Indian economic community with common property in the soil into a caricature of itself. (*Capital 3*, note 50, 451)

> The question of abolition we will never discuss or entertain; but the question which shall stand or fall, the ill-got power of Britain in India, or our holy Union, cemented by the *blood of our fathers*, is the one which America should always be ready to debate, either at home or on the Ganges, with sword and with cannon. (493, my emphasis)

"East India Cotton" thus challenges Britain's "ill-got" authority as a matter of defective morality. To ward off the threat of a Britain exciting "civil or servile war in the United States," the essay stages the conditions for the South's own "parricide" in which Confederate sons would attempt and fail to avenge the "blood" of their founding fathers, the legitimacy of their own "ill-got power" always-already put into question (459).

In its radical denial of the violence of plantation slavery in the West Indies, the essay displaces it as a "parricide" in far-off India. "East India Cotton" then produces a self-interested history of Haitian slave insurrection to which it own narrative fills a "blank page" venerating a "mild patriarchal government" in Haiti (467). Denying the barbarous cruelty of plantation slavery, "East India Cotton" claims that Haiti was "a happy, peaceful and prosperous colony" until abolitionists from London travelled to "revolutionary France" to teach the principles of "liberty; and unless "East India Cotton's" unwary reader took note, the

British "conspiracy" would decapitate the South, beggaring its people and—drawing in a cardinal alibi—"their children" (475). "East India Cotton" thus makes the child the scene upon which imperial desire claimed affective and moral authority. To secure the legitimacy of Confederate blood shedding at home, the essay constructs a threat to the South's children, but to claim a stake in the global marketplace, it stretches its moral compass to call upon the children of Britain and India (Slemon and Wallace 11). The pat phrase "in the name of the world's children" serves as a ready alibi for doing violence in the global arena.

Dismissing the violence of its own phantasms, "East India Cotton" claims the South's legitimacy on an accusatory binary logic of deception and credibility. Phipps identifies the lobbyists for British factory reform as the "dupes" of the East India Company, whose abuse of starving, ill-clad indentured labourers in India, he states, was far more oppressive than the US system of slavery. According to Phipps, in advocating for the liberation of "factory children" and the abolition of slavery, these lobbyists falsely defined slavery as a sin by indiscriminately collapsing all hierarchical forms of power—political, social, and familial—as slavery:[60]

> The term slavery, is well known to be a very general term, embracing a variety of conditions, dissimilar in their nature, and of all degrees, from Algerine bondage, to that mild patriarchal form of government, to which all are subjected in their youth. If slavery were sin, they saw the necessity of defining and describing the kind and degree of slavery which was sin, otherwise the monarch of any kingdom in Europe,

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[60] Espousing the legitimacy of oppressive patriarchal relations of power, the essay subordinates the mother in a perverse family drama, making her the instrument of parricide and relegating her to the role of modifier in an Old Testament typology that makes the deviant "mother anti-slavery society" a "cloven"-footed agent of "evil" spreading her abolitionist "brood over England" (455, 483, 481).

> might be reproached with the scandal of holding christians [sic] in bondage, equally with the planter. If slavery were sin, monarchy would be sin, the *ryotty* system of India would be sin, and many other political conditions. (482)

Here, Phipps draws a murderous connection between Christianity, British imperialism, and plantation slavery and, in the name of the "world's" children, splits the term "slavery" to displace the reign of terror away from the South into a scene of familial violence abroad.

Between the two logics, the binary opposition of slavery violence and the liberal pluralism of philanthropic abolitionism, the principles encoded in child rights intervene.[61] This history of labour is inextricably bound to the nascent discourse of child rights mobilizing at this time in Britain, and from the standpoint of a Karl Marx, the exploitation of the indentured labourer figured as a parricide could be reconfigured as the murder of the un-fathered, "ill-got" child. In 1867, Marx reversed the flow of accusatory capital by introducing a socialist perspective that countered the individualism of unrestrained capitalism as the condition of the impossibility of social justice.[62] In so doing, Marx did not dispute the "death" of the old order of "feudal, patriarchal, idyllic relations" that "bound man to his 'natural superiors,'" but where "East India Cotton" supported the paternal master-slave structure of power, Marx censured such relations, particularly the exploitation of child labour

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[61] According to the online Encyclopedia Britannica, "[p]luralism assumes that diversity is beneficial to society and that the disparate functional or cultural groups of which society is composed—including religious groups, trade unions, professional organizations, and ethnic minorities—should be autonomous." The concept of autonomy within commonality is problematic, however, for the "common" unity must hold together under some constitution organizing set of principles that may or may not accord with the different ideologies within.

[62] Marx was not responding directly to Phipps, but to the general conditions about which Phipps writes.

(*Capital 1* 867).[63] To this effect, he disbursed a graphic symbolic currency, figuring factory children as both infants and slaves and troping the flow of capital within an international framework as a question of legitimacy: "a great deal of capital, which appears today in the United States without any birth-certificate," he stated, "was yesterday, in England, the capitalized blood of children" (*Capital 1* 920). In this set of relations, the fiduciary instruments of state that legitimate the child's access to resources through citizenship—its name and its certificate of birth—were missing. In Marx's model, rights could not be claimed by a divine, or natural, endowment that supported paternal relations of power, but by state-enacted restrictions on duty-free trader's access to resources and their distribution.

Marx criticized the displacement of the agricultural population in Britain, which required "the ransacking of parish workhouses and cottages for poor children, and the exchange of children" necessary to transform manufacturing into factory production.[64] In this system of exchange, in which children were not free to sell their labour to the capitalist, they were made commodities in the international pool of labour. Condemning the United States' role in the cotton industry and its valorization of slavery, Marx tied an economic knot between waged and slave labour:

> While the cotton industry introduced child-slavery into England, in the United States it gave the impulse for the transformation of the earlier, more or less patriarchal

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[63] Kiernan states that the aristocrats were "no longer in power after 1832, but were still active, useful in a variety of ways to the reigning bourgeoisie, and finding fresh pastures in the colonies" (36). Figuring child labour as slavery, Marx explains how capitalism exploits groups of people: "Along with the national debt there arose an international credit system, which often conceals one of the sources of primitive accumulation in this or that people" (*Capital 1* 920).

[64] Marx footnotes Robert Peel's bill (1815) for the protection of children: "It is notorious, that with a bankrupt's effects, a gang . . . of . . . children had been put up to sale, and were advertised publicly as part of the property" (*Capital 1* 924).

> slavery into a system of commercial exploitation. In fact the veiled slavery of the wage-labourers in Europe needed the unqualified slavery of the New World as its pedestal. (*Capital 1* 925)

Capital's monument to the select few, he criticized, was inscribed onto a bloody base of broken children. In censuring the "vast debts contracted by the sovereigns" through "child-stealing and child-slavery," Marx troped capital's exploitation of labour as an infanticide by claiming the birth of large-scale industry was "celebrated by a vast, Herod-like slaughter of the innocents" (*Capital 1* 922).[65] Fixing on local material conditions, he evidenced several mid-century Children's Employment Commission reports, to bolster his claim that

> principally due to the employment of the mothers away from their homes, and . . . the neglect and maltreatment arising from their absence, which consists in such things as insufficient nourishment, unsuitable food and dosing with opiates; besides this, there arises an unnatural estrangement between mother and child, and as a consequence intentional starving and poisoning of the children. (*Capital 1* 521)

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[65] Throughout the century, "The Massacre of the Innocents" was a popular Herodic image symbolizing gross abuses of power. For instance, in *What is Property? An Inquiry into the Principle of Rights and of Government,* in which he claims "property is homicide," French anarchist Pierre Proudhon enlists the figure of infanticide in response to Malthus's proposal for controlling the surplus population:

> Infanticide has just been publicly advocated in England, in a pamphlet written by a disciple of Malthus. He proposes an *annual massacre of the innocents* in all families containing more children than the law allows; and he asks that a magnificent cemetery, adorned with statues, groves, fountains, and flowers, be set apart as a special burying-place for the superfluous children. Mothers would resort to this delightful spot to dream of the happiness of these little angels, and would return, quite comforted, to give birth to others, to be buried in their turn. (205, note 3, original emphasis)

See too Belgian symbolist Maurice Maeterlinck's allegorical play "The Massacre of the Innocents" and Charles Kingsley's speech "The Massacre of the Innocents" on the need for sanitary and social legislation in Britain.

Marx, of course, does not escape the ideological valorization of maternalism but he is clear in his identification of unjust social conditions as a major factor contributing to child abuse. Marx's splitting of the "hallowed co-relation of parent and child" was aimed at stopping "the exploitation of British children by their parents" (Marx and Engels 50). Important to my argument, his censure of parental abuse indexes an incipient national urge toward child rights that began institutionally with the Children's Employment reports.

The English Parliament was slow to implement child rights, but the state was increasingly forced to acknowledge the breakdown of "the old family system, and the family labour corresponding to it." Ultimately, Marx declared, "the rights of children had to be proclaimed" (*Capital 1* 620).[66] Protesting against "[t]he system of unlimited exploitation of children's labour in general and so-called domestic labour in particular," he stated: "parents must not possess the absolute power of making their children mere machines." Therefore, "children and young persons . . . may justifiably claim from the legislature, as a natural right, that an exemption should be secured to them, from what destroys prematurely their physical strength, and lowers them in the scale of intellectual and moral beings" (*Capital 1* 620). Exposing the limitation of work done at the global level, Marx's interest in children confined itself to the welfare of "children" at risk in England. Although he reinforced "East India Cotton's" understanding that "English rule destroyed the old communities" of India and acknowledged the "incomparable misery" brought on in India by rapid industrialization in England, Marx could only imply the effects of capitalization on children in India by raising the spectre of "[t]he bones of the cotton-weavers . . . bleaching the plains of India" (446).[67] Notwithstanding Edward Said's criticism that Marx could think only in terms of "collective abstractions," thus reducing the existential flesh of individual human suffering to mere "bones," my point is this: from the outset, death in India shadowed the national working out of child rights in England (*Orientalism* 155; *Capital 1* 558).[68] The discourse of global human rights carries this internal difference that makes it always-already heterogeneous. But it would take another century to formulate in global law what Marx articulated in the mid-nineteenth century—that child rights are inextricably tied to the global marketplace.

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[66] The "Children's Employment Commission of 1866, which states, "against no persons do the children of both sexes so much require protection as against their parent," marks the movement for national child rights (*Capital 1* 620).

Certificates of Birth, Death, and Legitimacy

While the English public was often forgiving of individual instances of infanticide at home, as the "occasional consequence of illicit love," it attributed infanticide in India to a more degenerate, deep-seated "cause" of tradition, as an "allowable and even commendable practice" ("Our Indian Empire" 1856, 650). In England, the agent of infanticide was an individual "fallen woman"; in India, it was collective degenerate culture. When "the abnormality to be eliminated is culture (as 'race')," law professor Anne McGillivray states, "normalization becomes cultural colonization" (136). To this end, the British discovery of infanticide in India legitimated the government's erosion of its policy of nonintervention into local social and cultural affairs. As the British worked resolutely toward direct rule, they exchanged the political relation of "mutual alliance" for one of dependency (Ramusak 57).

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[67] Marx criticized a system of exploitation in which taxation was not used to benefit the people but rather doomed them to starvation. Put under the double yoke of the local feudal aristocracy and the colonial state, Indians were subjected to unbearable tax burden, extortion, violence, and torture. This is where Colonel Walker's philanthropic suggestion that some of the taxes be returned to address the root problems of infanticide goes against the predatory grain of Company policy.

Throughout the 1830s and 1840s, twenty to thirty years prior to the height of panic over infanticide in Britain, killing "the child" and foreclosing its childhood provided an alibi for British authority to launch the "rescue" of an aberrant culture. When authority's reach into the secret chambers of the Indian household proved impracticable, however, rivalry between the agents of political and Christian moral reform escalated. Colonial administrators did not have a uniform policy for suppressing infanticide, and while the earlier Orientalists preferred to work with local officials and rely on Hindu and Muslim sacred texts for administering justice, once the British had a more secure foothold in India, increasingly those with a Utilitarian bent resorted to coercion and persuasion by establishing oppressive systems of policing.[69]

Indexing the struggle for power between commercial and religious interests, history differently attributes the "discovery" of infanticide in India to the East Indian Company's Jonathan Duncan, Resident of Benares Division (Veranasi), in 1789, or to the dissenting Baptist missionary William Carey in 1794 (Potts 140; Nath 391). Although it was discovered at the end of the eighteenth century as an issue of governance, however, infanticide lay dormant until its "rediscovery" by colonial tax collectors in the 1830s, when

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[68] Marx cites the Governor General's report of 1834-5: "The misery hardly finds a parallel in the history of commerce" (*Capital 1* 558).

[69] See, for example, L.S. Vishwanath's "Efforts of Colonial State to Suppress Female Infanticide."

in their bid for moral supremacy both company officers and evangelical missionaries mobilized the trope of infanticide to legitimate direct intervention into Indian affairs.[70]

Infanticide did not receive much attention until 1836 when the Western Provinces became the North-Western Provinces through annexation and it was "rediscovered" in the newly expanded district. Subsequent discoveries tended to coincide not only with the collection of tax revenues, but also with the British desire to reduce the influence of queen regents on their princely sons, especially where the state was delinquent in forwarding its tribute payments to the British (Nath 391; Panigrahi 18; Ramusack 179-81).[71] This interference extended to gaining control over education, for the British considered Indian women to be "the repositories and promoters of all that was 'traditional' and increasingly 'decadent'" (Ramusack180).

With the rediscovery of infanticide in the 1830s, the conditions Phipps labelled the "parricide" of indentured plantation labourers reversed as the blood of incalculable daughters. Nevertheless, infanticide became the occasion for rescue, not only or even primarily of children, but of their "hopelessly demoralized" male parent "permanently in need of foreign tutelage by a 'mild and paternal government,'" for while the agent of moral monstrosity in England was the individual mother, in India it was the demonized father, or, in aristocratic regencies, those women who had an inordinate influence on their sons (Kiernan 35).

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[70] Even then, two more decades passed before a Special Commissioner for Female Infanticide was appointed (Satadru Sen 55).

[71] L.S. Vishwanath points out that not only rent collection, but a number of other factors including a genuine desire to maintain law and order influenced British efforts to eradicate infanticide (footnote 1, 181).

At the same time an imperial taxonomy demonized the father, it also infantilised him, making him a pathological figure. As V.G. Kiernan puts it, in pre-Mutiny India idealistic Englishmen assumed "that they knew what was good for the natives and that the natives, like children with nasty medicine, would learn to be thankful" (47). In line with this thinking, British officials published a letter in the *Benares Magazine* (1852) addressed to the "Rajpoot race of India" that, one reader declared, "must be judged . . . not by European, but by Oriental rules of composition, and as addressed to men who, though soldiers by profession, were *mere children* in intellectual development" (Cave Browne 91, my emphasis). Control of such a vast population "depended more on moral ascendancy than on physical force" and figuring the adult populace as children paved the way ideologically for cultural intervention.

To legitimate the transformation of policy from non-intervention to normalization through cultural tutelage, the British turned to the rescue of children (Kiernan 55). New forms of tutelary power required not only saving the children as the raw material of cultural intervention, but also in this context symbolically killing those children to sanction entry into troublesome communities. Characterizing culture itself as an illegitimate infant in need of a baptismal certificate paved the way for testing various normalizing techniques on targeted communities.

Once the missionaries apprehended the impossibility of penetrating the family to enable religious conversion, they too turned their focus from spiritual to social issues of welfare, education, and health, claiming that the "inhabitants of Eastern lands" were "scandalously 'indifferent and apathetic' about health, or their children's welfare" (Kiernan 64). Over the uncounted bodies of invisible babies, then, both the missionaries, such as a James Peggs in *Cries of Agony: An Historical Account of Suttee, Infanticide, Ghat Murders* *and Slavery in India* (1832, hereafter *Cries of Agony*), and the servants of the East India Company waged moral warfare in the battle for political legitimacy.[72]

The British Empire well understood the imperializing role of culture in attaining hegemonic consent, which makes domination seem natural by creating desires, values, and moral investments. In the context of Indian infanticide, *Blackwood's Edinburgh Magazine* (1856), for instance, formulated a pre-Foucauldian understanding of the correlation between repressive and disciplinary power. In its pre-Mutiny evaluation of "Our Indian Empire," *Blackwood's* produced a congratulatory accounting of the successful "suppression" of infanticide under East India Company tutelage. Drawing from the now clichéd dramatic line, *Blackwood's* bragged that "[t]he sword and the pen together rule mankind" (*644*). In its post-Mutiny report, however, *Blackwood's* expressed the relation between power and knowledge differently. Recanting the notion of affiliative relations, it now claimed that the repressive "empire of the sword" must exact submission before the "empire of opinion" could hold sway.

Nevertheless, in both formulas, the conservative journal expressed an understanding of the cultural stake vested in controlling infanticide:

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[72] As the *Records of Government, North-Western Provinces* (1866) show, the magistrate in the Agra district, M.R. Gubbins, examined the whole issue "thoroughly." After examining lists submitted by police forces and conducting a "careful census," Gubbins decided to apply preventive measures only in "suspected" villages. These included enlisting the paid surveillance of village headmen, native officers, and midwives to register all births and deaths. Gubbins reported "the want of necessary information respecting the crime to be its chief protection." Problems of detection were insurmountable; local resistance to repressive measures of social surveillance *may have* included refusing to produce daughters or borrowing the daughter of another family for head counts and disguising daughters in male clothing (Hjejle 380, my emphasis).

> It has been easy to organise a conquest, to divide it into satrapies, to erect systems and form corporations; but the amalgamation of feelings, beliefs, customs, languages, and nationalities, which can alone constitute an united state betwixt victors and vanquished, is a thing which the world seldom witnesses. ("Our Indian Empire" 1857, 643)

The shift from the rule of law to techniques of normalization required new disciplinary institutions to establish tutelary relations. As Gauri Viswanathan notes of the debate over the literary curriculum in the early and mid-nineteenth century,

> the fear lingered that without submission of the individual to moral law or the authority of God, the control the British upper classes were able to secure over the lower classes in their own country would elude them in India. Comparisons were on occasion made between the situation at home and in India, between the 'rescue' of the lower classes in England, 'those living in the dark recesses our great cities at home, from the state of degradation consequent on their vicious and depraved habits, the offspring of ignorance and sensual indulgence' and the elevation of the Hindus and Muslims, whose 'ignorance and degradation' required a remedy not adequately supplied by their respective faiths. Such comparisons served to intensify the search for other social institutions to take over from religious instruction the function of communicating the laws of the social order. (121)

In India, this search extended to the village school which placed "expressions of the savagery of infanticide high on the curriculum," introducing Adam Smith's *Theory of Moral Sentiments*, and instituting essay competitions and commissioning stories and poems on the "evils" of female infanticide (McDonagh 140).[73] As both social event and symbolic staging, infanticide provided an almost unassailable moral position from which to work out techniques of intervention through cultural tutelage.[74] Labelled a cultural aberration, infanticide served to displace Britain's guilt over the acute poverty its administrative policies and brutal practices produced in India through the creation of "an artificial class of big landlords," the imposition of an oppressive system of taxation, and the prohibition of industrial development in India (Kiernan 46). The pole puts into play its opposite: the social violence done by exploitive policies provoked accusations of infanticide as its symbolic alibi. The idea of child rescue was essential to a civilizing mission structured paternally.

Herod-like, in this pre-child-rights history, the collectivity of children and the adult populace figured as children split apart: as both historical ground and symbolic repository, the child's twofold capital offered at once a moral imperative and an immoral alibi for cultural intervention, but the child also splits into a sanctioned object of protection and a disaffiliated object of vilification. The correlative logic to the mission of rescue of infant daughters in "the murky chapter in the history of 'indentured labour'" was that, as far as the soon-to-be-called "muscular Christian" was concerned, a James Peggs, in *Cries of Agony*, for instance, demonized and infantilized fathers were immensely killable (Kiernan 61, 65).

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[73] In Part V1 of *The Theory of the Moral Sentiments*, Smith proposes that, after himself, a man's family is the natural object of sympathy, which is "by nature more strongly directed towards his children" than his parents. "A parent without parental tenderness, [and] a child devoid of all filial reverence, appear monsters, the objects, not of hatred only, but of horror," he states. Raising the spectre of the prodigal son, he argues that "family-affection" is not so much "natural"—"the force of blood"—but "habitual." Smith concludes with an exemplum of child-saving that relies on maternalism's superior "tenderness":

> In that beautiful tragedy of Voltaire, the Orpha on china, while we admire the magnanimity of Zamti, who is willing to sacrifice the life of his own child, in order to preserve that of the only feeble remnant of his ancient sovereigns and masters; we not only pardon, but love the maternal tenderness of Idame, who, at the risqué of discovering the important secret of her husband, reclaims her infant from the cruel hands of the Tartars, into which it had been delivered.

[74] Mid-century social reformers often invoked the "natural" mother-child union in their efforts to reform family law on issues of bastardy and guardianship. As one article review of Anna Jameson's *Legends of the Madonna* claimed, the "feminine element of Providence" "lifted ["woman"] above an equality with man . . . [which] tended to protect the human race from the crime of infanticide, by venerating maternity" ("Legends of the Madonna" *Blackwood's* 1853, 31).

On the occasion of the rediscovery of infanticide in India, the zealous missionary Peggs beseeched the British Nation to form societies and corresponding committees to work for its abolition. In *Cries of Agony* (1832), he entreated: "*we are bound in duty, as well as honour, to reclaim* . . . [the 'Rajpoots'] *from the reproach of killing their own children!*" (129, original italics).[75] This reclamation, this imperial rescue, proceeded not on evidence but on accusation. Like "East India Cotton's" global compass, the scope of Peggs' address was expansive: "The *whole civilized world* naturally looks to . . . Britain to do her duty in India, and suppress every sanguinary practice subversive of the principles of natural and revealed Religion," he claimed (201, my emphasis). The adjective "civilized" in this assertion of superior morality establishes the global horizon organizing a tutelary logic christened "Religion." In the name of religion's rescue of the child, the adult could be murdered.

In his dramatic plea to the nation, Peggs claimed that abolishing infanticide in India was "the triumph" of earlier reformers, but despite the efforts of contemporary philanthropic company men it had revived. Neither the policies set by a "disinterested company" nor pragmatic experimental reform measures—which included, mandatory birth, death, and pregnancy registration, census-taking, negotiated agreements, pecuniary rewards, parliamentary decrees, and a whole raft of other normalizing and repressive measures—were adequate to the abolition of infanticide.[76] Fortified by this knowledge, Evangelical Christianity was compelled to step in. Peggs' interest extended beyond whipping up revivalist support in an indifferent British nation to establishing the very legitimacy of the missionary endeavour itself, which Benjamin Disraeli challenged somewhat sarcastically in *Sybil* (1845), pointing out that infanticide was "practiced as extensively and as legally in England, as it [was] on the banks of the Ganges; a circumstance which apparently ha[d] not yet engaged the attention of the Society for the Propagation of the Gospel in Foreign Parts" (131). According to a Disraeli focused on the state of the nation, religious advocates would do well to attend to local conditions before meddling in imperial affairs.

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[75] During the period of territorial expansion and land redistribution, infanticide in India was the subject of three sets of sessional papers (1824, 1828, and 1830). While Peggs was a Cuttack missionary in 1823-6, he wrote *Cries of Agony* after he was safely returned to England and ensconced in a Coventry parish.

Impervious to geographical, cultural, and historical differences, Peggs' narrative indiscriminately conscripts history and myth to account for infanticide throughout the world in order to define negatively what is different about infanticide in India. And it was this difference that legitimated religious intervention. Staking a bizarre narrative claim to "authority," the text performs a wild shuttling from present to past, from India to the Amazon, from Roman law to the Bible, and from first person to an indefinite plural form (151). The result is a deranged catalogue of symptomatic excess that indiscriminately collapses Indian societies and cultures to claim a "want of tenderness and regard for life" that, Peggs opined, was "very general throughout the country" (162).

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[76] As Hjejle notes, Indian rulers often came willingly to the negotiating table and agreed to cooperate with prevention efforts. Whether the consequence of bribery and coercion or their own inclination, these contracts indicate a willingness to bring about change. This impasse in constructing a fuller understanding of these power relations is both an historical and cultural aporia revealing the limitations of knowledge.

Peggs' objective of the speedy abolition of infanticide in an India only recently opened up to missionary occupation came on the eve of the abolition of slavery and the need for a renewed missionary rationale. Before 1830, the East India Company had been intolerant of missionaries in India, and until 1813 English missionaries actually required a licence to reside in the British territories. Although they slowly increased in numbers between 1813-1830, with few exceptions, they were unpopular with local governments and were "careful not to express their indignation too loudly and especially not to criticize the government which had power to return them to England" (Hjejle 409-10). As Mary Martha Sherwood, wife of a military officer in India and subject of my next chapter, observed in her memoirs, her friend Henry Martyn, the chaplain at Cawnpore (Kanpur), was "most carefully watched by the British authorities" (411). Lest he be ousted from India, the missionary needed to take great care not to be perceived as proselytizing.

From the safety of his home in England, however, Peggs did not feel the same constraints as the missionary on location, and his corroborating "evidence" in *Cries of Agony* often comes as reckless conjecture. Peggs' narrative carries a note of the hysterical that discloses an anxiety over the reliability of information-gathering in India. The thought that he might have been duped, his own legitimacy put into question, haunts the text in his apprehension of local hearsay that hints at political pandering:[77]

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[77] *Cries of Agony* draws on reformer Colonel Walker's letter to the Court of Directors (1819) in which Walker entreats that

> every servant of the Government should have injunctions to ascertain the consequence of a birth by all the means that may be in his power; nothing should be too trifling for his notice which may bear on the point; he should *collect even the rumours* of the country upon the subject, and report to his superiors. (203, my emphasis)

> The crime of destroying *illegitimate* children in the womb is prevalent to a shocking degree in Bengal. In the *family* of a single Koleen Brahmun [sic], whose daughters never live with *their husbands*, it is common for each daughter to destroy a child in the womb annually; this crime is very prevalent among widows, so numerous in this country. The pundit who gave this information *supposes* 10,000 children are thus murdered in the Province of Bengal *every month!!* (*qu. Every year?) Expressing my doubts* of this extraordinary and shocking circumstance, he appealed to the fact of many females being tried for these offences in the courts of justice in every Zillah in Bengal. He said that the fact was so notorious that *every child in the country knew* of it. (Peggs 162-3, my emphasis)

Notwithstanding the expression of doubt lodged in his apprehension of "illegitimacy," Peggs' moral sensibility overstepped its rhetorical and cultural reach, for, unintentionally paradoxical, he posits "illegitimacy" at the very centre of marriage and family. However, as the "secrecy" of the Indian domestic made access to young children difficult, Peggs' text was limited to producing grim phantasms of illegitimate infant corpses. His investments lying outside any genuine analysis of socio-familial relations, Peggs could only insinuate "illegitimate" conceptions to inform his accusations. This moral charge of illegitimacy would have resonated with nineteenth-century Britain, however, for, as McDonagh notes, it was commonly supposed "that the shame of illegitimacy was motive enough to provoke a woman to commit the deed" of child murder (3).

Not only were adults delinquent: in authorizing his text with information "every [savage] child" in the country possessed, Peggs produced a knowing Indian child. Applying a different standard of classification to Indian children freed him up for imposing imperial values for rearranging the social order. The text does not deliver Christianity's "massacre of the innocents," and not a hint of the humanizing "ethical referent" of innocence underwrites the text, for innocence is "racially coded" (Giroux 277).[78] If "natural" childhood was the site of protection from adult knowledge, innocence was withheld from the child contaminated by association with an unnatural mother, whose first act, Peggs accused, was infanticide.[79] Even as it was made unnatural, the Indian child provided a frame of intelligibility for organizing a political system based on familial relations of dependency. Leading up to the legislation of sumptuary laws regulating behavior on moral or ethical grounds, British officials in India were generally obsessed with numbers and on making visible the invisibility of little girls in targeted infanticide-practicing villages monitored by a whole slew of paid informants, from the midwife to the police officer. To garner support in Britain for a new abolition of infanticide movement, however, Peggs set his skills above those of untrustworthy informants in the employment of the newly established policing systems based on social espionage in tax delinquent districts.

Cries of Agony is wary of the secrecy attendant upon an act it conceives as an instrument of "great facility of undetected destruction." But unlike the more visible sati and the immolation of children on the Ganges, Peggs determined, "infanticide could only be checked through interference in the most secret and sacred affairs among the higher classes of [Hindu] natives" (Superintendent of Mhairwarra in Peggs 177; Hjejle 363; Potts 141). In Britain the act of concealing pregnancy was evidence enough of the intention to commit infanticide: in India the secrecy of the domestic space itself was proof of criminal behaviour. *Cries of Agony*, therefore, provides the corrective to concealment: if the crime was conducted in secrecy, Peggs insisted, "[t]he means for detection must of course be by clandestine intercourse with the parties and surrounding inhabitants" (Walker in Peggs 190). Peggs articulated a rationale for instituting repressive reform measures. To affirm the missionary's place in the developing system of espionage, he demonstrated the superior skills that religious knowledge brought to such an undertaking. Employing its own secret economy of sin and illegitimacy, evangelism extended its gaze imaginatively, far into the interior of forbidden domestic space, into the quickening womb of infanticide itself.

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[78] As my reading of domestic literature in chapter three discusses, on the Anglo-Indian home front, the child split into little white and little "black" babies—the adjectives carrying the racialized story (Sherwood 402). Very few adjectives attach to children in this narrative. Those used tend to express material phenomena rather than abstract values: for example, "orphan children," the "miserable children" of the poor, and a "half famished infant," but when value judgements come into play, we get "a very handsome" boy offered up to a ludicrous account of human sacrifice, etc. (Peggs 203, 158, 163; 164).

[79] Produced as a knowing subject and reduced to a state of unnaturalness, the Indian child was denied its share of the ideal, the sacralized currency of Christianity's allotting. The notion of a natural child, taking its natural, or proper, place as a subject of parental authority, is a Lockean heritage. In this logic, to conceive the male parent as a natural, or god-ordained, ruler is to guarantee a hierarchical "natural order."

Equally miraculously, the text conjured causes. Where Company officers were generally keen to attribute infanticide anthropologically to the caste system and exorbitant marriage expenses, *Cries of Agony's* aesthetics of "horror" impresses that infanticide in India was a "singularly unnatural, and murderous practice." According to Peggs, it was the result of the "unnatural affection" of "inhuman mothers" (Potts 142; Peggs 183).[80] However, attributing infanticide to the monstrosity of mothers was insufficient to the task of establishing credibility for cultural intervention. While it had not yet reached the status of social and moral panic in Britain that the new Poor Law Amendment Act (1834) was about to set off, the specter of infanticide focusing the moral panic in England ghosts the pages of *Cries of Agony* (183).[81]

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[80] Responses were of course diverse. J.W. Kaye *in The Admistration of the East Indian Company* declared: "In England . . . infanticide is peculiar to the lower orders; in India it is peculiar to the higher. In England it is a crime caused by no more than vanity, the activity of degradation; in India the activity of pride'" (qtd. in McDonagh 139).

Illogically, Peggs drew upon a bizarre world history of infanticide to claim that the practice of female child murder was not only "systematic and cultural" but exclusive to India. And inexcusably, he accused, it was executed under the very noses and authority of a delinquent British Government (Walker in Peggs 128-9). Although Peggs claimed of Hindu cultures that "prophecy" and not religion was at fault, and his indictment of false gods forgot that elsewhere he attributed the "cause" to the more abstract "desire for independency" and to the "propensities of the people"—to a "savage and quarrelsome spirit" and a "jealous and hasty pride" (132, 133, 166). At any rate, infanticide in this account was the *consequence* of ideology and disposition: "habits and prejudices, strengthened by little selfish views of economy and of domestic ease" (149).

Contrarily, Peggs also stated that infanticide was "indirectly a very considerable *cause* of the insubordinate character and violent disposition" (166, my emphasis). The circular logic of *Cries of Agony* thus applies its own conclusion as its premise. Viciously making infanticide both cause and effect, the narrative produces an ambiguity that makes infanticide a site where colonial logic falls apart. Its attempt to shut out competing overdeterminations is also derailed when economic relations intrude surreptitiously, in the text's own "little selfish views" that bespeak a history of economic interest glossed as the loss of girl-babies. As Jacqueline Rose notes, the creation of a "lost child" sets up an historical moment that can then be retrieved; thus, in the history of colonial governance, the childhood of uncooperative social groups needed to be rescued before it could be governed through missionary tutelage (43).

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[81] In *Sybil: The Two Nation*, Disraeli revealed the parallel problem in England that Peggs needs to suppress in order to garner support for missionary work in India.

Identified, the causes determine the form of tutelage. Although "Hindoos, with a facility proportionate to their credulity, generally ascribe their peculiar institutions to a divine origin," Peggs knew better (135). To avoid complete alienation of "the East," he acknowledged Hinduism only to demonstrate that while the religion itself was sound, its followers had gone wrong. Because uncooperative Hindus were "ignorant of, or inattentive to, their own shastras," their worship of false gods had become custom and the means of correction had to be muscular.

Along with missionary instruction, he rebuked, it was "the duty of a paternal Government," when faced with culturally sanctioned deviant mothers, to treat infanticide as murder and legislate the death penalty (143; Poynder in Peggs 208).[82] Yet, this proposition that fathers, not mothers, be put to death willfully sidestepped the ongoing problems posed by infanticide in England: detecting the crime, providing the proof, and prosecuting the perpetrator (135, 159). In cases where proof was impossible to obtain in England, the lesser offence of concealment, which received a penalty of just two years in prison for the mother

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[82] Peggs' desire to prosecute Indian fathers for murder runs counter to the growing sympathy at home. In 1803, the crime of concealment of birth was made a lesser offence in England, making the burden of proof fall upon the crown as in other murder charges. Prior to the 1834 Poor Law, the father of an illegitimate child could be named and be required to pay maintenance. Malthusians accused the bastardy laws of encouraging profligacy, and the Poor Law Royal Commission, swayed by these arguments made maintenance proceedings against the putative father difficult, technically making an illegitimate child "nobody's child." The New Poor Law set off a social panic as opponents argued that the changes to poor relief encouraged child murder.

(as opposed to the death penalty), was applied. In contrast, the Infanticide Act in India legislated that the male parent could be prosecuted and put to death.[83]

Secret Agents and Solemn Engagements

The struggle for political legitimacy in India willy-nilly drew in Company administrators who initially supported a policy of nonintervention to avoid disruptions to the existing balance of power. The early Governor of Bombay (Mumbai), Mounstuart Elphinstone, for instance, supported the policy of noninterference that in turn ensured the noninterference with economic exploitation. In a parliamentary minute on infanticide (1821), he assessed the situation pragmatically and with some cynicism:

> I do not think the chance of success would compensate for the disaffection which it would affect. It may also be doubted how far we have a right to interfere to such an extraordinary pitch with the private life of a people with whose civil government and internal policy we do not pretend to have any concern. (Peggs 182-3)

Three years later, Elphinstone was avowing Britain's unequivocal right to govern. Putting his faith in the efficacy of long-term policies, he determined that given enough time good governance would "soften the manners of the people." His apprehension of the difficulty of detection, however, exposed the insecurity of his claim to tutelary "rights":

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[83] Initially concerned to avoid conflict, Warren Hastings in Bengal legislated that "the people should not be deprived of the protection of their own laws." An Act of Parliament in 1781 added, "nor shall any Acts done by *fathers or Masters* in consequence of the Rule and Law of Caste . . . be held and adjudged a crime although the same may not be held justifiable by the Laws of England" (Hjejle 6, my emphasis). By 1795, however, the government declared that female infanticide should be treated as murder and the "Muhammadan law, which spared fathers and grandparents who willfully murdered a child" from the death sentence, was repealed (Hjejle 6, 363-4).

> There is one point of great importance in which we are *already entitled to exercise the rights of general superintendence* [sic]. This is in checking the crime of female Infanticide, and in imposing the fines authorised by Colonel Walker's agreements on those who may be guilty of it. It is greatly to be regretted that the difficulty of detection should secure the pepetrators [sic] as to render *the article against it a dead letter!* (Peggs 182, original emphasis)

Dead law bears dead babies: Elphinstone starkly formulated the cardinal obligation of a nation-state regarding children's rights, the obligation to protect unprotected child life. Approaching the burden of abolishing infanticide in India as a difficulty of detection, however, displaced the problem of intervention that underwrites the US's refusal to ratify the *Convention on the Rights of the Child* today: who can legitimately intervene not only in the institutions of family but in the social management of other societies? As Sara Suleri points out, "apprehension of the obscure keeps the narrative of obscurity intact" and, in the case of infanticide in India, obscurity lent the self-interest of *homo œconomicus* the shabby cloak of self-proclaimed authority (39).

On the eve of his resignation from the Government of Madras some twenty years later, Elphinstone had changed his mind. He declared that "partial and desultory" reform efforts must be replaced with "well-digested and systematic" regulatory plans, and attributed the failure to abolish infanticide in certain districts, in part, to the Government's refusal to provide full "protection and justice" and, in part, to native resistance to subordination.[84] Although officers like the reforming Major Walker working in Kathiawar, a peninsula in Western India, sought to obtain "universal agreement[s]" to stop the practice, according to

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[84] He refers to the Khond Districts in the Hill Tracts of Orissa, Madras.

Elphinstone such pledges, or dead letters, had failed. Now assuming an unquestionable "right to interfere," Elphinstone ultimately recoded the failure to abolish infanticide as the act of an infantile civilization:

> [W]e have now acquired an acknowledgment of our right to interfere, which the tribes cannot dispute, and to which if prudently and steadily asserted, they will submit without apprehension or distrust. . . . But *we cannot* afford that protection and justice which the state of society among the Khonds demands; *we cannot* exercise a salutary control; *we cannot* even prudently enforce the right of interference which we have acquired, while we continue to act upon the principles, and even to observe the forms of judicial proceedings, made for people in a *different stage of civilization.* (Government of India 60-1, my emphasis)

Misapprehending cultural difference as generational, or developmental, "stages" secured for the British the virtue of establishing paternal relations with an undeveloped "childlike" people. The triple negative of Elphinstone's evaluation, however, self-consciously stressed the insecurity of political trespass into the foreign domestic. On the credit side of this political ledger is Elphinstone's disqualification of a one-model-fits all solution to the problem of invisibility. Yet, his entrenchment of the obscure supplied the British Government with "the possible fiction" of the inviolable right to interfere in local conditions (Suleri 39).

A Captain MacPherson working in the hill tracts of Orissa, whose recommendations Elphinstone endorsed, formulated a clear strategy for penetrating the obscure. MacPherson attributed the problem of infanticide to the scarcity of women, which prohibitively raised their marriage value and, in turn, justified killing the surplus female population to avoid the expense and shame incurred by costly unmarried daughters. By playing marriage broker, the government could not only gain access into the family, he maintained, but also divest itself of the byproduct of that intervention by redistributing the rescued charges of the state. MacPherson proposed that "a new bond of connection, involving influence of the highest value . . . might be created by marrying village chiefs to the "female wards of Government saved from sacrifice" (Government of India 68). His strategy aligned a people perceived to be organized "on patriarchal familial principles," in which "contracts between individuals are also engagements between tribes," with a Government similarly holding to contractual principles.[85] As a commodity of exchange that would strengthen Company-sanctioned contractual relations, infant daughters would be saved from infanticide in this scheme only to be sacrificed to the gods of matrimony and imperial rapacity. In arriving at this plan, MacPherson reported he had "exhausted every art, by which . . . [he] could hope to engraft ideas analogous to those of family connection, upon the existing ideas of civil connection with the Government" and expressed satisfaction that his scheme was taking hold:

> When it was found that the bestowal of a ward of the Government denoted its favor and confidence, and was the beginning of a new and beneficiary relationship to it; that *the interest of the Government followed its children undiminished into their new families and tribes*, giving to these special claims to consideration, there arose the strongest desire to obtain the wards in marriage. . . . I have since labored to

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[85] See Bernard S. Cohn on the imposition of British case law (held to be "responsive to historical change") onto Hindu law (thought to be unchanging and timeless) (146-7). In essence, the British aimed "to find and fix a Hindu civil law concerned with . . . [British] rights, public and private, that affected the ownership and transmission of property" (147). Believing that Hindu law comprised a system of religious and civil duties, the British therefore sought to excise ethical and religious matters from the rules determining "contracts" and "succession."

> strengthen and to multiply the ties between them, and all connected with them, and the government, through the maintenance of regular intercourse with them; and *the careful observance, as far as possible*, of the forms and the duties, and the use of the language of the paternal relation. Thus ideas of connection, and of authority, analogous to those which arise from natural affinity, have become blended in the minds of these people, to a certain extent, with their exciting ideas of civil connection with the Government. (Government of India 68-9, my emphasis)[86]

Taking "possession" of its "new families and tribes" by marrying state orphans to favoured chiefs, the Government could realign socio-familial relations in an attempt at wedding unsubmissive peoples to the state. This scheme, however, relied on an appeal to the self-interest of those most covetous of currying favour with foreign power.

MacPherson's qualification of the feasibility of observing invisibility, "as far as possible," admitted to the insecurity of the enterprise. Nevertheless, he outlined a state strategy for penetrating the family in which following absent children "undiminished" justified the establishment of an oppressive system of paid espionage that made Indians "the most scrutinised people in the world" (McDonagh 140). The child thus encoded served as a cardinal alibi for manipulating social relations on behalf of an imagined national family: to wed the family to the state required "saving" the child.

Unlike Elphinstone, philanthropic reformers like Walker in Rajputana (now Rajasthan) suggested as a "first principle" that "Government authority could only be maintained by forging *solemn engagements* with native populations and adopting a policy of leniency rather than death penalty" (Peggs 202).[87] Against competing interests clamoring for "inquisitorial institutions" and an "odious system of espionage," Walker suggested instituting a "system" of "rewards and punishments; [and] only when "the ordinance ha[d] been for some time generally observed, *the criminal . . . be prosecuted as a common murderer*" (Peggs 157-8, 204, original emphasis). In cases of extreme poverty and the resultant inability to provide for the offspring saved through intervention, he added, "pecuniary relief "should be implemented (204).[88] This observation is derailed, however, when he adds moralistically: not as bribes, but as "marks of honour." The conferral of an inscribed silver medal gratuitously displaced attention from the bloodthirsty economic enterprise aggravating inequitable socio-economic conditions.

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[86] At this time, Elphinstone and MacPherson (and the Madara Civil Service) were concerned with the Khond Districts in the "Hill Tracts of Orissa" (Government of India).

Placing a cash value on girl infants, not in and of themselves but for the moral legitimacy they lent for consolidating British power, Walker further suggested that to prove its humanity and disinterest, the Company should establish a fund to reward families who saved their daughters. With a cold eye on securing political legitimacy, he entreated: "The accomplishment of this desirable object [abolishing infanticide] ought to be considered as a prudent and legitimate measure for the consolidation and stability of our Government or influence in that quarter [the northwest] of India" (205).[89] Other officers were not as ready as Walker was to grease the palm of reform efforts, or even to support intervention. Where Walker's system would reallocate some of the Company revenue, in contrast, an ingratiating Captain Ballantine appealed to the Company's own mercenary motives on the grounds that exploiting a country's resources could be divorced from matters of "humanity": [90]

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[87] Along with the high cost of marrying daughters, Walker submitted a "second defence of Infanticide" in the Parliamentary Papers of 1824: [The Jemadar Futteh Mahomed, "a zealous Mahomedan"] disclosed a circumstance which is probably true

> that his situation rendered it improper for him to say any thing on the subject to the Jahrejas. It appears that the Jahreja Byaud of Cutch could easily overturn the usurped authority of Futteh Mahomed; and that they only sanction or submit to it, because they have acquired thereby an extension of their own authority, and many illegal possessions. It is generally understood that if this Jemadar attempts to deprive them of any of their privileges, or to circumscribe their unjust acquisition, they could, without much difficulty, deprive him of his own power. Under these circumstances we cannot probably indulge any strong hope that the suppression of Infanticide will soon be attained in Cutch; and, in the actual state of affairs in that country, they may, perhaps, afford some apology for Futteh Mahomed's appearing as a constrained advocate for the unnatural crime of Infanticide. (Peggs 186, 155)

[88] Providing evidence that a child was not stillborn but the victim of deliberate murder was the paramount problem in England. The caution against establishing a system of pecuniary reward, the Resident at Baroda reported to the Court of Directors, was the danger of false accusations: "The informer should therefore be bound to give proof for the specific information which he brings, under pain of being severely punished if his information should turn out to be false" (Walker in Peggs 197).

> [M]ight not the expense and responsibility, and our active supervision, with deference I submit, be with strict policy and justice made chargeable to the Government who alone derive any pecuniary or real advantage from the country, and of course should be equally interested in the first dictates of humanity, and in the annihilation of customs offensive to all religions, and degrading to human nature in general. (Peggs 200)

On the question of whether to discipline or to punish—or as he put it, to "elevate and improve" or "supervise and coerce"—John Cave Browne, in *Indian Infanticide: Its Origin,*

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[89] On his proposed system of rewards and punishments, Walker points out that the reward for native informants who come forward against powerful rulers must appeal to their "selfish and mercenary motives" and thus be "liberal" (Walker in Peggs 191). But he also notes the greed of those rulers (Peggs 185).

[90] A Wilkinson working in the same area in Malwa and Rajputana in 1836, for instance, who had "obtained formal renunciations of the practice from the rajahs and chiefs," reported: "Penal enactments not supported by public opinion are a dead letter as far as the generality are concerned" (Hjejle 374).

Progress, and Suppression (1857), perceptively assessed the two main proposals for action formulated for India:

> The essential characteristic of the one was compulsory enactment, that of the other self-legislation. The one based on the principle of strict registry of births and deaths, through the agency of Government subordinates and menials; the other on that of voluntary reduction of expenditure at marriages. The one looked to rendering the crime impossible, by enforcing the most rigourous *surveillance* for its prevention; the other to rendering it unnecessary, by removing the most powerful motive to its perpetration . . . . [T]he one . . . is best calculated to influence the masses, and to carry with it the stamp of popular approbation . . . [The other] within certain limits, and if not pushed too far, is practical, and has proved itself effectual for the suppression of the evil against which it is directed. . . . The latter will affect localities, but the former may influence nations. (107)

Despite this evaluation of the limitations of self-legislation, by no means was the conviction that the British should intervene unanimous. But as British power strengthened so too its administrative policies—and economic rapacity was hard pressed to accommodate morality.

A calculating missionary tract like *Cries of Agony* entered the reform debate first by paying evangelical homage to the merit of Walker's plan and then by taking particular pains to demonstrate that Walker's policies recommending leniency were failures. "Blood has a voice to reach the skies," Peggs cried melodramatically, prefiguring a fundamental problem of intervention for the United Nations today: "political expediency cannot justify palliation of crime and murder" (210). Muscular tutelage "wants Informers," he insisted, proposing a repressive regime based on a system of paid espionage and the legislation of harsh penalties to support the work of evangelical tutelage, and any objection to such a system springs from "a false delicacy" (209). Evangelism prudently appealed to the Company's sense of duty but, in the event that failed, it extended an invitation to "the British Nation" and its government to intervene, by enacting social "parricide" (210).

Symbolic and invisible, dead babies were the absent centre, the "curious vacancy" at the very core of Peggs' moral accounting (Suleri 99). "If Infanticide be not punished in this manner [enacting the death penalty]," an unconsciously ironic Peggs implored, putting the entire imperial enterprise into question, "is it to be doubted whether or not . . . Britain should 'make inquisition to continue? Are we 'entitled to exercise the rights of general superintendence [sic]' and shall we shrink from it, and thus be 'partakers in other men's sins?'" (184). As Thomas Laqueur argues for human rights today, the stake in the struggle to save infant life, for the missionary, the East India Company, and the British government, was the disciplinary power acquired through cultural intervention, which served the shift from repressive to hegemonic power.

Ultimately, the staging of infanticide as a cultural aberration and the object of reform in India had less to do with securing the cardinal right to life for children, and everything to do with the "global" division of power and distribution of economic resources. As Malavike Kasturi notes in "Law and Crime in India: British Policy and the Female Infanticide Act of 1870," by the end of the century, "the Government of the North-Western Provinces had lost all interest in . . . punitive [and moral] measures." By 1906 the Female Infanticide Act of 1870 was withdrawn, social historian Lalita Panigrahi observes, curiously adding that the "practice had been abolished."[91] Participating in the debate on the nature, extent, and (failed) responsibility of British reform in India, Panigrahi's account is insistently uncritical of British motives. She states: "[i]n their policy towards female infanticide the Government seemed to have been guided purely by philanthropic and humanitarian aims," and, then, substituting a new philanthropic subject, she reiterates: "The East India Company had no such motive [as evangelical reform and moral influence]. In its policy towards infanticide, it was guided purely by philanthropic and humanitarian aims" (xi, 44).

Engaging in this debate, a discerning Kasturi counters by claiming the repressive measures sanctioned by the 1870 Female Infanticide Act had "only partial success." Kasturi assesses that by the early-twentieth century political events displaced attention from ethical concerns, and the special infanticide squads were simply dismantled, despite evidence provided by the census counts of continuing disproportionate sex ratios amongst the districts involved. The use-value of the Indian child was spent. By 1912, in the context of a disintegrating British Empire, official opinion merely echoed "what had by then become the dominant position on the future of the Female Infanctide Act" in India (Kasturi). The act, Kasturi notes, "had done its work and the servants of the Crown wished 'to be rid of the whole thing.'"[92] If the movement toward social reform was justified by a humanitarian impulse that depended on following children into the family to rescue disappearing children, then relinquishing the responsibility to social reform marks the dehumanitarian impulse of the British Empire.

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[91] Today, infanticide as sex-selection abortion is an ongoing subject of feminist analyses and the object of global religious, media, and UN censure, some of which echoes the hysterics of a Peggs. Radhika Balakrishnan suggests that "more than legislative advocacy," what is required are "more broad-reaching strategies that will address the economic and cultural roots of the problem." While the act was worked out and legislated in India in 1870, it moved quickly to England, passing in 1872. The Bill of 1890 strengthened the 1872 Act and development continued in a series of subsequent acts until in 1939 the Adoption of Children (Regulation) Act "closed . . . [a] loophole and made baby-farming . . . a thing of the past" (Lionel Rose 186).

[92] After entering British law, the Infanticide Act (1872) was reinforced successively throughout the first half of the twentieth century. The Infant Life Protection Act would

Thus, the history of infanticide in India brings together the major problems of government that Foucault identifies as having emerged in the sixteenth century: not only "the government of the state by the prince" (or, as it were, by the private East India Company), but also "the government of souls and lives," through the government of children and "the great problematic of pedagogy." While Marx demonstrated that the critique of economic exploitation could not be confined to the theatre of the local, Laqueur refines this understanding, raising the subject of affective relations in his question, how then can we care for distant others? The answer, Laqueur suggests, lies in culture. Said puts it another way: "Perhaps the most important task of all would be to undertake studies . . . to ask how one can study other cultures and peoples from a libertarian, or a nonrepressive and nonmanipulative, perspective. But then one would have to rethink the whole complex problem of knowledge and power" (*Orientalism* 24).

Foucault's fourth problem of governance, the "government of oneself," more clearly plays out on the domestic face of the web of international relations of power I have been weaving. In the context of English women in India, the subject of my next chapter, I turn to a cluster of autobiographical narratives that address the problem of the government of self in

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eventually contribute in some measure to the ideological foundation of international child rights, which erupted onto the international stage after World War I, along with the post-war focus on the formation of trusteeships. Armed with a mission of justice that stretched beyond national borders, the British philanthropist Eglantyne Jebb was responsible for bringing the newly sacralized child-figure to the League of Nations' efforts to establish tutelary relations between nation-states.

relation to the government of children. In the economy of the breast, the child becomes an object of exchange acquiring an uneven exchange value ("Governmentality" 87).[93] Because most English women in India could not inscribe power in relation to dominant history, their power was exercised differently. They entered dominant discourse by claiming a self-authorized politics of identity secured by the auto-biography. Through the act of self-representation, which assumes an individual has something of value to contribute, Anglo-Indian women engaged in a domestic politics of the self, forged in the nursery against a deviant mother and taken public in the autobiographic narrative. But where power operating in the public (religious, political, and economic) spheres infantilized the male Indian adult, the autobiographic memory reveals that, try as she might, the Anglo-Indian woman could not entirely uproot from her personal history the moral and philanthropic agency of the Indian other.

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[93] I am not concerned here to take up the generic distinctions between memoir, life writing, and autobiography. Rather, I follow Leigh Gilmore in eschewing the notion of self-contained generic forms and examine instead something she labels "autobiographics": "those changing elements of the contradictory discourses and practices of thought and identity which represent the subject of autobiography" (13). As Gilmore understands it, a generic form is a malleable, historically and culturally determined signifying practice. Thus she does not approach autobiography on the level of description and classification, but examines the interrelation between a text and its context by determining which technologies and conventions a text uses to create relations of power and individual agency. Autobiographics provide a way of reading those moments in a text where a writer claims agency.

Chapter Two: Maternal Complicities and the Politics of "Personal Government"[94]

The child shall be registered immediately after and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents. (Art. 7.1, *CRC*)

The babies, the babies were the objects of our first thoughts . . . .
(Sherwood 434)

The most famous woman contributing to the mass of Indian Mutiny literature pouring into England in 1857 was the Crimean war heroine Mrs Henry Duberly, who had the uncommon distinction of having marched across northern India alongside her husband's regiment.[95] During her *Campaigning Experiences in Rajputa and Central India* (1859), Duberly crisscrossed over two thousand miles, much of it on horseback under a blistering, "bloody" sun (Coleridge in Duberly 46). The heat produced incessant fatigue, and the dust "set in motion by a hot wind" covered everything "like a veil of gauze." Dysentery and disease plagued the regiment throughout the year of Duberly's "field service" (54, 168). In her own words Duberly's journal is an effort "to put before the public a faithful record of the services and sufferings of one portion of the army occupied in the suppression of the Mutiny." And true to her word, her "faithful record" employs the rhetoric of militarism to trope a savage revenge in her introduction to "the field operations of rebel congregations on all sides and the British parties marching and counter-marching to confront them" (qtd. in Chaudhuri 149).

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[94] In *Memoirs of a Bengal Civilian* (1961), John Beames describes "the ideals of the 'Punjab School' of colonial administration in the mid-nineteenth century . . . as 'personal government'" (qtd. in Metcalf in McDonagh note 87, 239).

[95] Whether termed "revolt," "rebellion," or "the first Indian War of Independence," the Indian Mutiny of 1857 marks a turning point in Indian governance. After the Mutiny the British Crown took over the governance of India from the East India Company, a commercial firm acting as the political agent. The Mutiny was sparked by British demands on Indian troops that were disrespectful to Muslim and Hindu traditions and set off a year of peasant and sepoy uprisings in northern India resulting in atrocities committed by both sides. (Ward)

In her remarks on an eyewitness account of the siege on the Lucknow Residency, which she read about in the "Calcutta papers," Duberly rhetorically reinforces the barbarous acts of a Brigadier-General James Neill.[96] Before he had the suspected mutineers hanged following the massacre at Cawnpore, Neill ordered them to lick up the spilled blood from the floors of the Bibighar, the women's quarter where the slaying of over two hundred English women and children had taken place. Resonating with "Butcher Neill's" infamous "blood-lick" law, Duberly's language bears its own bloody savagery (Duberly 25; Lee in Ward 472):[97]

> When I think upon this terrible insurrection, and recollect how deeply the rebels have stained themselves with *English* blood, the blood of *English* women and of *little helpless* children, I can only look forward with awe to the day of vengeance, when our hands shall be dipped in the blood of our enemies, and the tongues of our dogs shall be red through the same. (25, my emphasis)

In Duberly's rhetoric, by virtue of the dependent relationship it establishes, the child transmits a symbolic currency of innocence and helplessness onto the English woman, while the repetition of nationality in "English blood" and "English women" ensures that the nation too claims a share in the child's symbolic assets. As feminist debate has long established, however, the private and public are not separate spheres of influence, and, as Duberly's journal testifies, the Anglo-Indian woman was not somehow separate or exempt from the political scenes of violence.

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[96] After rescuing the surviving women and children and evacuating the Residency, British reinforcements slaughtered nearly two thousand Indians.

[97] On the repercussions of the Cawnpore massacre, see Andrew Ward's *Our Bones Are Scattered*. See also chapter two of Jenny Sharpe's *Allegories of Empire*.

It took just six weeks for accounts of the Mutiny to begin trickling into the heart of the Empire; therefore, to satisfy the English appetite for revenge each published account sent home very quickly had to offer something unique if it was not to bear the censure of the literary critic. Consequently, just two years after the Mutiny, Duberly's book was already too late to claim the distinction of novelty.[98] Presuming British invincibility, the press tardily picked up the news of the Mutiny in response to French criticism. But soon reports began trickling in daily, enumerating the lurid details of events based on "questionable depositions, muddled accounts, dubious journals, and the narratives of shell-shocked survivors with axes to grind," which fed the nation's desire for retaliation (Ward 555). Although Duberly was the first to actually see the British put down the rebellion, a disappointed *Calcutta Review* remarked of her "exquisite" descriptions: "We look in vain for a connected narrative which the advantage of her personal presence in a battle would have motivated" (qtd. in Chaudhuri 151). Duberly's account of British field operations alludes to but quickly suppresses the knowledge of British retribution "of which perhaps," her narrative understates, "the less said the better" (Chaudhuri 151). Yet, the presentation of blood capitalizing on "little helpless" children to construct a logic of vengeance ironizes the understatement ruthlessly condoning such barbarity.[99]

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[98] See, for instance, L.E.R. Rees's *A Personal Narrative of the Siege of Lucknow from its Commencement to its Relief by Sir Colin Campbell* (1858) on Neill's "fearful vengeance" for "the wholesale slaughter of defenceless women and helpless children." Within the space of three short paragraphs, Rees provides the sensationally gruesome details of "bayoneted . . . babes" and "walls covered with the bloody finger-marks of little babes and children and the delicate hands of wounded females" (228). A critical Marx offers some perspective:

> [I]t should not be forgotten that, while the cruelties of the English are related as acts of martial vigour, told simply, rapidly, without dwelling on disgusting details, the outrages of the natives, shocking as they are, are still deliberately exaggerated. For instance, the circumstantial account first appearing in *The Times*, and then going the round of the London press, of the atrocities perpetrated at Delhi and Meerut, from whom did it proceed? From a cowardly parson residing at Bangalore, Mysore, more than a thousand miles, as the bird flies, distance from the scene of action. Actual accounts of Delhi evince the imagination of an English parson to be capable of breeding greater horrors than even the wild fancy of a Hindu mutineer. . . . *The Times* overdoes its part, not only from panic. It supplies comedy with a subject even missed by Molière, the Tartuffe of Revenge. What it simply wants is to write up the funds and to screen the Governments. As Delhi has not, like the walls of Jericho, fallen before mere puffs of wind, John Bull is to be steeped in cries for revenge up to his very ears, to make him forget that his Government is responsible for the mischief hatched and the colossal dimensions it had been allowed to assume. ("The Indian Revolt" 93-4)

Marx provides several examples of English officers referring to hanging and torturing Indians as having "fun." And he draws from accounts of the first Opium War just a few years earlier (1839-42) to demonstrate the mutuality of barbarity:

> The English soldiery then committed abominations for the mere fun of it; their passions being neither sanctified by religious fanaticism nor exacerbated by hatred against an overbearing and conquering race, nor provoked by the stern resistance of a heroic enemy. The violations of women, the spittings of children, the roastings of whole villages, were then mere wanton sports, not recorded by mandarins, but by British officers themselves. ("The Indian Revolt" 92)

As historian Sashi Bhusan Chaudhuri notes, English women in India like Duberly, who sent home reports from their personal diaries and memoirs, were the "first ever reporters" of the Mutiny turning point for British governance in India (135). The insertion of personal experience into the historical record added the authentication of eyewitness testimony that an insatiable public clamouring for "the new" devoured daily in the British press (152). However, as postcolonial critic Jenny Sharpe notes, many so-called eyewitness accounts carrying "tales of terror" had no known origin, and their "general tenor . . . showed a strong desire to represent rumor and hearsay as fact and information" (*Allegories of Empire*

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[99] Writing on "The Indian Revolt" in September 1857, Marx denounced England's reprisal in India, pointing out "that torture formed an organic institution of its financial policy. He states: "There is something in human history like retribution; and it is a rule of historical retribution that its instrument be forged not by the offended, but by the offender himself" (91).

62). At one point in Duberly's journal, for instance, a light-hearted poetic flourish, the line "I know not what the truth may be/ I tell the tale as 'twas told to me," speaks of her emotional disengagement. This callous dismissal of the knowledge of British brutality symptomatically exposes the disjuncture between the living event and the dead calm of her aesthetics (44).

Harriet Tytler's retrospective *An Englishwoman in India: The Memoirs of Harriet Tytler 1828-1858* (hereafter *An Englishwoman in India*) is another such memoir participating wholesale in the spread of such hearsay. As Anthony Sattin, in his editor's note to her posthumously published autobiography, remarks:

> It is easy to forget, when reading Harriet's memoirs, how completely protected she was for most of her life . . . . Throughout the three months of the siege she only 'ever saw fought with [her] own eyes' one encounter between the British and the rebel forces. Similarly, although she was in Delhi after its recapture, she is telling 'second-hand' stories. (xxi)

Nevertheless, while Frances Duberly failed to satisfy the public's craving for fresh detail, Tytler could easily lay claim to having something new to impart even though she was writing some fifty years after the event.

Despite that her lurid descriptions of the massacre of innocents merely replicate those of earlier accounts, as the only "lady" present during the so-called siege, Tytler held a trump card.[100] According to Chaudhuri, although many of the women writers confined to the domestic could only express "a longing to be in the fight," like Duberly, Tytler could demonstrate her presence in the very heart of the siege on Delhi (148):

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[100] In his introduction to Tytler's memoir, Philip Mason points out that "the Siege of Delhi was not really a siege" as the British held only the ridge northwest of the city (ix).

> Half a century had passed since the events I would now record took place [she begins part two of her memoir], and abler pens than mine have written of the Great Sepoy Mutiny. Still, as a survivor of the memorable 11th of May 1857 at Delhi, and as the only lady at the siege of that city, I am led to think a simple narrative by an eyewitness of those thrilling events may interest others. (109)

With the hindsight of retrospective "reportage," Tytler identified the "curious vacancy" at the core of paternal governance in India—dead letter, dead baby—and, on the occasion of its greatest need—in the wake of the Boer War some forty-five years later, which raised the British nation's fears of its own inadequacy—she stepped in to fill the conceptual abyss (Suleri 99). At the same time the British discovered the deplorable state of health of many working-class military recruits for the Boer War, the 1901 census in Britain confirmed that the birth rate was dropping, while medical reports suggested infant mortality was rising.[101] As Anna Davin points out, race regeneration became important to producing an "imperial race" for the waning Empire, and British children were said to belong "'not merely to the parents but to the community as a whole'; they were 'a national asset', 'the capital of a country'; on them depended 'the future of the country and the Empire'; they were, in short, 'the citizens of tomorrow'" (Davin 209, 204).[102] Britain's military force was in serious need of strengthening, but as many nineteenth-century social investigators reported, the rotting core of the British Empire—its industrial urban centers—was thought to be the very source of contamination.[103]

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[101] National anxieties rose in concert with emergent fields of child study; the prescription for an ailing nation was a flurry of reforms, all referencing the nation, the empire, and the race, intended to strengthen the child population.

[102] T.J. Macnamara, former school master and Liberal MP, remarked on a series of reform proposals in the *Contemporary Review* (1905):

> All this sounds terribly like rank Socialism. I'm afraid it is; but I am not in the least dismayed. Because I know it also to be first rate Imperialism. Because I know Empire cannot be built on rickety and flat-chested citizens. And because I know that it is 'not out of the knitted gun or the smoothed rifle, but out of the mouths of babes and suckings that the strength is ordained which shall still the Enemy and the Avenger' (qtd. in Davin 208).

Preceding by just a few years Frances Hodgson Burnett's similar solution in the children's novel *The Secret Garden* (1909), in which the writer returns the sickly Anglo-Indian child protagonist from India back to the mother country to restore the health of an ailing population and a declining British Empire, Tytler stages the return of the English child into the heart of the Empire as the necessary prescription for national regeneration.[104] Written between 1903 and 1906, *An Englishwoman in India* symbolically gives birth to the figural replacement for all those English children lost to the maws of imperial battle and exportation by enterprising "child-saving" agencies shipping cheap labour into the margins of the Empire. In her memoir, Tytler lays claim to having produced the first "recruitment" for British retaliation, a living child who had "come to avenge the death of the murdered children" in India (172). The only woman to give birth during the siege on Delhi, Tytler rhetorically holds up the trophy of her military adventures, her exemplary "baby hero" (Lord Roberts). For emotional affect, her narrative artfully poses the baby's nurse dangling the newborn "by his right leg" in front of its distraught mother (Tytler 172). This image invokes another ingrained in the collective post-Mutiny psyche: the sepoy rebel in the dead centre of a massacre holding an imperial baby aloft—by one leg, or by bayonet.

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[103] See, for instance, Jack London's *The People of the Abyss*, which imitates the social investigation reports of Henry Mayhew, Thomas Archer, Charles Booth, etc.

[104] The heroine of *The Secret Garden*, Mary Lennox, is a disagreeable, jaundiced Anglo-Indian orphan, who is sent to her uncle's big house in northern England after their Indian servants had killed her parents. Haunted by the death of his wife, Mary's uncle has abandoned his pampered son Colin to his own self-absorption. Mary brings new life to the ailing countryside, rejuvenating the abandoned big house garden and encouraging the motherless boy to physical and spiritual health. On an allegorical level, Burnett suggests that the ailing nation can be rejuvenated by calling its lost white children home from the reaches of Empire to restore the sickly populace to health.

Relating a second-hand account of the massacre of forty English women and children at the palace in Delhi, for example, Tytler reinforces the image of the slaughtered infant to sanction retribution. Tellingly nonspecific, she describes how one of the women captured and taken to "Lall Killah" (Red Fort) attempted to stay the order given by "the eldest son of the old King" for the "cold-blooded murder" of the prisoners (128).[105] Having given birth the night before, this anonymous English woman approached the king's son carrying her newborn infant in her arms and begged to speak. Although Tytler cannot produce a name for the distraught mother, she can stage a melodramatic dialogue:

> "Oh! Nawab Sahib, such a thing as killing poor helpless women and children was never heard of as being done by brave men."
>
> Upon hearing these words, the Nawab said, "Is that all she has to say?" and gave the signal. One of his soldiers then and there speared the poor new-born baby and threw it up in the air before the unhappy mother's eyes, and then all were ruthlessly slaughtered . . . . (128)

Thrown aloft, the bayoneted baby serves generally to exonerate retribution and specifically to legitimate baby Tytler's role as the avenger of "the blood of innocents" (Lord Roberts). Deriving its legitimacy from the pathological motif of retaliation, Tytler's narrative furnishes her child-warrior with a birth certificate conferring the militaristic name of "Stanley Delhi Force" to commemorate the British field force in Delhi.

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[105] Sharpe draws from a July 1857 *News of the World* report to question the "fact" of this massacre. The story "first declar[ed] little knowledge of events, then appeal[ed] to the imagination as a privileged source of information, before finally reporting what had only been heard" (*Allegories of Empire* 62).

Nominalization as a violence (Spivak *A Critique* 262): in the name of the military father, the mother encodes a domestic relation with patronymic law, conferring the weight of military categorization. At the same time Tytler was celebrating her child's military naming, East India Company officers were attempting to impose systems of birth certification in particularly uncooperative territories. As if to underscore the illegitimacy of post-Mutiny military retribution, however, the baptismal certificate authenticating the name of the infant-avenger was lost, and against the chaplain's misgivings, Tytler had the child rebaptized: the bathos of an anticlimactic second ceremony underscores the illegitimacy of a religious certification of revenge.

The return of the repressed counter-motif to infanticide, the parricide haunting Mutiny histories, further undermines the legitimacy of retribution. In this second-hand anecdote, the British-maneuvered parricide of Indian fathers by their princely sons transforms in post-Mutiny rhetoric as the parricide of British fathers by their infantilized Indian subordinates to manage symbolically the loss of British life. In this context, maternalism's special power is its production of dutiful sons aligned with their father's imperial aspirations. The attempt in the military domain to establish legitimate relations of retributive power thus finds a domestic correlative on the Anglo-Indian home front.

As McDonagh notes, references to child murder in nineteenth-century Anglo-Indian autobiographies mark a transformation in the popular representation of Indians:

> no longer the killers of their own young, an ancient people involved in a mysterious and melancholy process of self-annihilation, Indians had been transformed into the menacing assassins of British babes. (143)

In the British imagination, the mutable child-victim of infanticide swapped national identities. While this might have been so in the public discourse, as Anglo-Indian women in the private space of the nursery could testify, this had always been the case. A fuller picture of imperial relations calls for placing the public discourse of infanticide lodged in the political and missionary literature that McDonagh reads alongside domestic accounts in which, a narrative like Harriet Tytler's or Mary Martha Sherwood's *The Life of Mrs Sherwood* suspects, Indian women had always had a pre-Mutiny predilection for murdering English babies.[106] Where the broader philanthropic play for power made its object of reform an impenetrable Indian domestic scene in which dead babies imaginatively proliferated, in the pre-Mutiny household, Anglo-Indian women had long displaced their suspicion, from the murder of Indian infants in the Indian household to that of "little helpless" white babies in the Anglo-Indian nursery. In the private as in the public domain, the obscurity of infanticide furnished an alibi that not only presented a moral challenge for colonial rule to confront and negotiate, but exculpated English maternalism's complicity with child murder in the nursery (Suleri 78, 90).

My reading of *An English Woman in India* and *The Life of Mrs Sherwood* in this chapter is indebted to Sara Suleri's incisive analysis of the "thick interchange of psychic cost" for Indian and Anglo-Indian women in the realm of the domestic (81). Focusing on the romance of maternal unity, Suleri examines the "extremities of familial disruption" within an economy of the "borrowed breast," in which maternity must lease out its property to either one culture or the other. In the discourse of wet-nursing, the child's public use value, legitimating the enterprise of cultural rescue, expands as the child becomes a commodity of one-way exchange. For both the biological and the surrogate mother, Suleri states, "the separation of parent and child is a sentimentalized motif that repetitively reveals the extent of its traumatic betrayal" (80). Suleri reads the trauma of separation for both mothers as follows: as the imperial child grows closer to its Indian wet nurse than to its actual mother, the Indian infant perishes, for its lactating mother "feeds another's child . . . in order that the economic unit of her entire family may be equally fed" (81). As Suleri observes, "[t]he bond of nurturing between ruler and servant is quite pragmatically a bond of death" (81). Yet, in addressing the similarities of loss, Suleri necessarily bypasses the significant public discourse of child-saving which provided the cultural ground on which Anglo-Indian maternalism asserted its authority.[107] To read the mutuality of loss, Suleri's analysis cannot focus, for example, on Sherwood's claim of plenitude that she "was never without a baby whilst in India" (303).

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[106] The full title is *The Life of Mrs. Sherwood (Chiefly Autobiographical) with Extracts from Mrs Sherwood's Journal during his Imprisonment in France and Residence in India* (hereafter *The Life of Mrs. Sherwood*).

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[107] Although Suleri poses the questions, "to what extent is the British woman implicated in the structures of colonialism, and what lines can be drawn between her collusion with, and confinement in, the colonization of the subcontinent?" she does not draw overt links between the private and public, preferring instead to privatize women in a cultural "politics of the picturesque" (11, 76, 83). A reading focused on the mutual loss of children might therefore be surprised to learn that eight of Tytler's ten children survived. Like the English-born Sherwood, the Indian-born Tytler is interested in ameliorating conditions for orphaned children in India; unlike Sherwood, who limits her child-saving to English children, Tytler eventually established the Himalayan Christian Orphanage for Indian children in Simla (Sattin 179).

Sherwood's narrative is littered with the rescue and adoption of various orphans required for developing her initially deficient maternal skills in order to solidify this bereaved mother's shaky sense of moral virtue. In focusing on the biological and surrogate mothers' "*identical postures* of erotic tenderness toward an infant whom they temporarily shared," Suleri also cannot read Sherwood's bitter accusation: "It is my firm belief that half the European children who die in infancy in India die from the habit which their nurses have of giving them opium" (Suleri 81, my emphasis; Sherwood 318). In Sherwood, then, the public fiction of infanticide finds a pre-Mutiny correlative in the private domain of the nursery: willy-nilly, infant death creeps into the narrative indexing the very atrocity it seeks to exclude.

Although Suleri assesses that "women's writing is one safe way of recording colonial claustrophobia without transgressing onto the overtly political terrain of the male Anglo-Indian," privatization of the domestic is an impossible fiction. Sherwood's speculations on child murder do "spill over into the psychic . . . [and] political realms," repeating, if differently, those of the missionary with whom she was closely affiliated. The narratives of English women in India, therefore, require examination not only of shared loss and complicity with domestic child murder, which Suleri necessarily reads, but of the differences that underwrite the public mission of rescue—of black babies from their unnaturally secluded Indian mothers—as it resonates with both private and public stagings of infant death.

Therefore, I want to add to Suleri's reading by broadening the analytic lens focused on maternal women. By including a reading of the child victim in the emergent history of rights, its absence troped as infanticide, I will argue that the fiction of rescue embedded alongside maternalism's trauma of loss hinges on a different logic and set of relations than the one Sulerie develops. The rescue of children was never restricted to the imperial civilizing mission and, although it might attempt exclusivity, the autobiographic memory cannot entirely expunge other histories of child-rescue lurking in the folds of the telling. Focused on the Anglo-Indian woman, Suleri's reading of mutuality excludes the political register of infanticide-reform informing the enterprise of child rescue in both Tytler's and Sherwood's narratives. To bring the child to critical analysis, the narrative of child murder in Anglo-Indian domestic texts should be read in relation to the events of colonial governance. By asking the questions raised by maternal individualism in the context of imperial relations—which child gets rescued, at whose expense, in what manner, and for what purpose—the analytical focus shifts from reading feminist aesthetics to reading relations of power.

The point I want to make here is that in the context of colonial India the category of race was inadequate to maternalism's efforts to establish moral superiority and that, when focused on the adult's relation to the child, moral difference could only be guaranteed through cultural discrimination. Although the *Life of Mrs Sherwood* attempts to script the writer's moral development, the imposition of racial difference achieved by splitting the category of "child" into black and white babies simply demonstrates that nowhere is the child revealed as a site of cultural contest more than over its very survival.

As evangelical revivalism affirmed, adults "were already far too set in the ways of corruption to be effectively reformed," and children were therefore "the most likely basis for the moral regeneration of society." A Reverend Daniel Turner claimed in *Hints on Religious Education* (1794), for example, that because of "the special and unique value of children"—their malleability—"the future of the commonwealth depended on them." Children were "the heritage of the Lord and the fruit of the womb in His reward," Turner stated; as such, they had to be educated early before they were "spoilt." Nationalizing his evangelical ideas, Turner determined that "[c]hildren belong less to their parents, than to the public; they [were] the children of the people . . . the hope and strength of the body politic" (qtd. in Laqueur *Religion and Respectability* 5). The child is thus a key figure welding state and nation together, but to perform this work of unification, the child must be rendered accessible. The struggle over infant life in India demonstrates that the child provides a site on and through which to manage society, and when that site is in name only, the state becomes delinquent in its fiduciary duty. Hence today, UNICEF makes a nation-state's treatment of its children, the measure of humanitarian "progress."

This realization has particular resonance for analyzing the rapid centring of child rights in the late-twentieth century, for, as Mary Poovey teaches, the centred figure invariably indicates that something larger is at stake. In the context of "the government of childhood," that stake is the rights of the child that articulate a highly negotiated, flexible set of cross-cultural guidelines for global tutelage (McGillivray, Introduction 16). The lessons of colonial India support Sheila Martineau's caution that "*The Convention* [*on the Rights of the Child*] needs to be problematised as a reconstruction of colonialism and imperialism, as a document which may serve the interests of global capitalism even as it promotes the rights of children" (233, italics added). This work of analyzing human rights should proceed, I suggest, by bringing the child to adult-centred theory to displace the violence resident in the adult-child binary, not into the discourse of rights but into that of economic globalization.

First Duties: "to learn how these little new ones were managed"

One of the lessons I take from reading infanticide in postcolonial India is that the logic of maternalism is not only exclusive, but it is also complicit with paternal power. While post-Mutiny narratives were rife with accounts of violated white women and babies dashed to the ground or speared on enemy bayonets, lacking the alibi of retaliation, the pre-Mutiny account is structured differently. For Mary Martha Sherwood, author of didactic Sunday school books for children and wife of a regimental officer in India, religion supplied a cultural mantle of legitimacy that patterned on a logic of sacrifice and salvation. Sherwood's conversion—from paternally structured Anglicism to fraternally structured Methodism, which was aligned with contractual familial relations—initially required that she put her new faith to the test.

Sherwood's memoir of her life in India is traumatically sandwiched between her departure from and arrival back home in England. This English framing provides a safe space for releasing emotions she consciously suppressed while living in India through an imposition of self-control that Suleri identifies as the aesthetics of "dead calm" informing the narratives of Anglo-Indian domestic narratives (Sherwood 276; Suleri 99).[108] The neurosis skulking in the narrative's "dead calm" erupts in Sherwood's text first as the terror expressed at leaving her first child behind in England and then again only when Sherwood is away from India and securely back home on English soil. Haunted by guilt over the decision she was forced to make as a new mother, to abandon her first child to her English parent's care,

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[108] See Suleri's chapter four in *The Rhetoric of English India* for a reading of the deathly cost of maintaining equanimity, the "dead calm," at the heart of the feminine picturesque. Duberly's version of the picturesque is an "unutterable calm" (14).

Sherwood offers a moral exemplum that salves the guilt produced by the sacrifice sanctioning the maternal mission of salvation.[109]

Sherwood's conversion from Anglicism to Methodism coincided with the general nineteenth-century missionary movement to take social issues to the masses. Like the Baptists in India, Methodist missionaries recognized early on that reaching Indian women required the missionaries' wives to establish the "Zenana System," a system of domestic instruction incorporating thousands of girls' schools (Asiatic Society). Before the Anglo-Indian Sherwood could contribute to this tutelary enterprise of instructing others, however, as a cultural novice in a new land, she needed to gain mastery of herself. The loss of her first two children (the first through separation, the second through death) reads as the personal failing Sherwood must overcome. She does this by figuring the Indian (m)other as a negative example against which to claim a fully agential cultural identity.[110]

To this end, Sherwood imputes to herself a superior strength of character that supplants what she calls missionary hysterics with an ironclad command of her passions. Nevertheless, the horrors of her Indian experience prowl the text's memory, derailing her effort to maintain the "dead calm" of self-control. The aesthetics of dead calm concretized in the monumentalizing of dead babies accompanies the nominalizing impulse to baptize her living newborn. The dead calm of Sherwood's autobiography can thus be read as a eulogy that displaces her guilt into a script of salvation in order to manage the narrative of child death. But the terror wrought by death as it threatens the child returns forcefully with

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[109] As Andrew Ward points out, "India was regarded as a spiritually and socially, as well as physically, dangerous place for children" (71).

[110] See Ward in addition to Suleri on child loss. Ward notes that one chronicler, commenting on the long absences between parents and children sent to England, remarked that "'Death and absence . . . differ but in name'" (72).

Sherwood's return to England when she pays a visit to some of her former pupils, barracks-orphans now training as regimental soldiers (262). The sight of her beloved babies grown into soldiers unleashes a nightmare return of history from which she recoils with a pre-Kurtzean colonial horror: "What a strange revulsion, what a violent flood of old feelings burst upon my mind! The past, as it appertained to my Indian life, seeming to roll itself into one with the present" (538). Unlike Harriet Tytler's post-Mutiny exultation at producing the child as military fodder, Sherwood's imperfectly maintained equanimity cracks altogether upon seeing the child incorporated into the British army.[111] Unsupported by the logic of military retaliation, the spectre of the child threatened by death offers no refuge.

Similarly, the tutelary work legitimized by Sherwood's imperial babies—as proselytizing agents of religion—is thrown into question by her symptomatic overreaction to an incident in which her son's nurse takes him to "some Poojah, or "idolatrous service" (305). Exposing the uncertainty of a novice convert's religious convictions, Sherwood informs her reader that instead of reprimanding the Indian nurse, she performed a counter ritual and had her son baptized a second time. In a text in which the "horrors of idolatry" surface guiltily each time maternalism sets up and bows down to its own false idols—her monumentalized children defined hyperbolically in terms of a "deadly white, white as the whitest marble"—Sherwood's "anxious insistence" on religious certification draws attention to the very thing she wishes to refute (Sherwood 308, 494; Suleri 43).[112] The insistence of baptismal innocence marks the resident guilt and accompanying horror in the text suppressed in the dead calm that a eulogy predicated on death is inadequate to contain. Sherwood's newfound religion is also too weak to resist the fear that close proximity with Indian *poojah* will contaminate her fledgling faith.

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[111] Army recruits sent out to India were as young as fourteen years of age. On the terror of youth, see Suleri's reading of Burke's sublime in chapter two of *The Rhetoric of English India*. As Tytler puts it, "Officers in those days used to be sent out as mere boys of fourteen or fifteen." Congregated in groups, or packs, before being sent up country, their "pranks" led to terrorising local inhabitants until the drowning of an Indian bill collector forced the Government to listen to complaints and disperse young soldiers individually (22).

To allay her guilt for having subscribed to the passive female role scripted by Anglican paternalism, Sherwood's first lesson is to learn to cope with the personal trauma of having weaned her son too early, an act that contributed to his death. Her search for atonement for having "lost" her first two children is charted in a passive rhetoric deflecting personal responsibility: "[T]here was no one to tell me that in so doing I was sacrificing him," Sherwood confides (317). "I was permitted to take that step which, humanly speaking, brought my baby to his grave in a few months afterwards" (317). Guilt initially tropes here not as the sacrifice of the self idealized by maternalism, but as an Old Testament sacrifice-of-the-child demanded as a test of faith by a terrorizing paternal religion. In expressing guilt over her complicity with death, Sherwood wrestles with her relation to a God who "appoints terrors, for some purpose of love" (502). Although she articulates an acceptance of her child's death, her narrative never quite comes to terms with the notion that "[s]uch terrors may be permitted for the purposes of paternal discipline." Against the grain of a repressive religious tutelage, Sherwood advances maternal moralism to justify her own conversion from paternal Anglicanism to fraternal Methodism, and resolves ideological tensions by escaping into a narrative of personal development (520).[113]

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[112] On the shift from scriptural to natural, or moral to physiological, explanations of maternal "instinct," see Mary Poovey, particularly Chapter Two "Scenes of an Indelicate Character: The Medical Treatment of Victorian Women" in *Uneven Developments*. See also Leonore Davidoff and Catherine Hall's "Part One: Religion and Ideology" in *Family Fortunes: Men and Women of the English Middle Class, 1780-1850*. For a good treatment of the Evangelical inculcation of children and the role of the Sunday schools in maintaining social order see Thomas Laqueur's *Religion and Respectability: Sunday Schools and Working Class Culture 1780-1850.*

Embodying the ideological shift Poovey identifies as having occurred by the 1830s when naturalistic explanations of "the female nature" were posing a serious challenge to scriptural explanations, Sherwood transforms herself from a self-identified infant in a strange culture to a fully developed moral-maternal agent in a new religious family (*Uneven Developments* 7). To this end, she sets her skills against those of the politician and the overwrought missionary. She not only asserts that maternalism's love, as a "primeval purity," is "superior in its efficacy to any legal motive" but reproaches the "missionaries and other pious men . . . writing their experience" for failing to "refrain from expressions of fear which . . . [a self-disciplined] officer's wife would be ashamed to utter" (Sherwood 514, 565, 267). This shame, however, draws attention to the guilt skulking in the English framing, in the plot of maternal development that is underwritten by a fear of complicity with child murder. This fear is managed by an accompanying script of child rescue.

To establish legitimacy differently from the missionary Peggs, who can only imagine a clandestine resistance in the Indian household, Sherwood must first atone for having taken a passive role in her own life. Where Peggs surmised that Indian women borrowed the daughters of other families, concealed their own daughters, or disguised them in male clothing to frustrate the invasive technologies of surveillance, on the veracity or extent of resistance he could only speculate. As McDonagh notes, "Symptomatically, travellers were confused as to whether the absence of women in Indian society was because they were concealed in segregated societies, or more sinisterly because they had been killed at birth—as though secrecy, the lack of cultural knowledge, and child murder were interchangeable problems (note 78, 238). But the Anglo-Indian woman had access to the Indian domestic by bringing it into her own nursery. Before she could manage others, however, she first needed to acquire the skills of self-management, a goal Sherwood achieves by setting a program of self-development conceived as the progressive growth from child to adult.

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[113] The politics of cultural identity in scholarly performances today affords a similar escape from addressing the social consequences of rampant capitalism.

Upon her arrival in India, Sherwood self-identifies as an infant in an incomprehensible, liminal space:

> I was still in too great amazement during my transit from the beach to the Fort to have any clear recollection of what I then saw; for, *as an infant* opening its eyes on a new world is *unable to distinguish* one thing from another, *or to comprehend* any object it sees, so, in some degree, my first views of India seem strangely confused in my recollections. (288, my emphasis)

At this point, Sherwood is doubly infantilized, by her old religion and by her new environment. While cultural difference provided an alibi for maternal failure, India itself provided the ground upon which to apply the skills her new faith offered for learning how to properly instruct self and other. To gain full membership in the "little" Methodist religious society that was "nothing else than a very happy family," Sherwood needed to learn how to manage cultural difference (393).

Although nowhere does Sherwood acknowledge the public discourse of infanticide evasively informing her memoir, her narrative of child death and rescue cannot stand outside its public unfolding. During her return travels homeward to England, for example, she pays a visit to the Baptist Missionary Establishment at Sherhampore, near Calcutta, where an aging William Carey, the Baptist "discoverer" of infanticide just a few years earlier, resided (501). But despite her own persistent interest in child rescue, her respectful mention of Carey's presence, and her reference to his fame, the Baptists' work to suppress infanticide in India remains tantalizingly off the autobiographical stage.

While an hysterical missionary in Britain like Peggs could only hypothesize child murder, on location in India, Sherwood moves it into the confines of the nursery where she can control relations of power within the sphere of her own developing influence. At the same time she guiltily apprehends her own passivity, imposed by an oppressively paternal Anglican religion, Sherwood denounces the passivity she finds abhorrent in the Indian (m)other (262). Negatively establishing a relation of moral maternalism, Sherwood transfers her own passivity onto the Indian mother. Here, the politics of identity sets up a relation of reliance between an active mother-teacher and a passive child-pupil, who can then be managed as a dependent in household tutelage (475, 458). Tapping into the public discourse of evangelical revivalism and the authority it confers on the individual within fraternal-family relations, Sherwood sets out a program of "personal governance" that pivots on governing the other-as-child (262). Like the missionary Peggs, Sherwood claims the ability to read interiority, describing, for instance, an incident in which she discovered an Indian baby "lying face downwards on the cold chunum floor" (475). Rather than attribute the situation to, say, culturally different child-rearing practices, she credits her incomprehension of the situation to her nurse's resistance to authority, as the Indian woman's sullen response to Sherwood's refusal to grant her permission to go out one evening (475).

Oddly, Sherwood's authority for establishing a sense of command in the nursery is not the gospel, but the cultural knowledge she has gleaned from the stories of "Eastern manners and Eastern modes of thinking" in *The Arabian Nights' Entertainments* that she read on her voyage out to India (280). Notwithstanding Laqueur's suggestion in "Bodies, Details, and the Humanitarian Narrative" that we turn to fiction to learn to care about distant others, Sherwood demonstrates the danger in indiscriminately conceiving a homologous relationship between text and context: "Could we have doubted before that we were in a new world, we could not have doubted it any longer, for these were a description of persons hitherto represented to one's fancy only in the Arabian and Persian tales" (284). Passing through a village in her early travels, she applies this newfound knowledge wholesale:

> we did not then understand a word which was said, [but] we could read the indication of every vile passion the countenance of almost every person we met. It was impossible to mistake the fierce expression of the adults, or the pining sadness of infancy. (305)

The arrogance of imperialism as it exercises its skills without acknowledging the limitations of cultural knowledge, Gayatri Spivak teaches, translates in this context as a deviance apprehended to legitimate the work of its correction.

As Poovey states of the domestic ideal, the "image of woman was . . . critical to the image of the English national character, which helped legitimize both England's sense of moral superiority and the imperial ambitions this superiority underwrote"; maternal authority, however, was established on the ground of the child and the management of its childhood (*Uneven Developments* 9). As Sherwood gathers together her flock of orphans, the children of the regiment's officers, and establishes schools for the white and mixed-race orphans of the barracks' soldiers, she sets her first task in the school of child-rescue as an investigation into household management.

Corresponding with the development of the public sector disciplines of surveillance, her investigation begins by identifying negatively against what she reads as the passivity of depraved (m)otherhood. But her narrative cannot sustain the difference. The paradox that Sherwood is striving to suppress those same passions she criticizes as lacking in the Indian (m)other, who is not in a position to express her emotions, produces the narrative tension:

> To learn how these little new ones were managed was so important to me that I would have borne any insolence to obtain information. Each person who had anything to do in the nursery way agreed that wet-nurses must be had for delicate [white] children in India, even if the white mother was able to nurse her children for a time. 'But the wet-nurses' baby,' I remarked; 'what can be done for the little black infant?' 'Oh?' replied the amiable white woman, 'something handsome is always paid for their being reared; but they commonly die.' 'My lady,' she added, 'has had six nurses for different children, and the babies have one and all died.' 'Died!' I remember I exclaimed, 'but this is murder.' She answered coolly, 'But this can't be helped; the mothers never fret after them. Whenever they nurse a white baby they cease to care for their own; they say, 'White child is good, black child his slave'" (402).

Sherwood's narrative displaces responsibility for splitting the child into white master and black slave onto the Indian nurse. Needing the explanation of an uncaring Indian mother to legitimate her collusion with child murder, Sherwood unquestioningly reiterates what she is told and needs to believe—that Indian mothers are fatalistically resigned to the "inevitable" and never fret after their own infants.

As if to clinch her reading of the situation, she supplies a corroborating anecdote in which she too carefully explains that she provided for one Indian infant neglected by a wet-nurse in her employment. Her questioning of an old Indian nurse in another household (in which the Anglo-Indian children are thriving) on how to avoid the Indian child's death admits to a tutelary exchange of knowledge in reverse. Sherwood learns that her privilege carries social obligations and she must take "the trouble of keeping the infant within her compound, and seeing it daily." She also learns that the development of culturally and environmentally sensitive child-rearing practices depends on local knowledge and practitioners (402, 406). When it comes to saving her own children, Sherwood's evangelical logic of self-tutelage is undercut by her cognition of cultural limitations that necessitate her deferring to the wisdom and experience of the Indian other.

When it fits her purpose, Sherwood does not challenge Indian authority but submits to the advice of the Indian nurse. Although she proudly insists that she attempted to save the "black baby" of her first son's nurse, ordering that it be mustered before her for daily inspection, the child dies. A placid Sherwood chalks up the death of the first black baby in her nursery to her own inexperience. But the "pining sadness" she claims of Indian children is never the primary object of her charity, for, coded on lines of class and race, her household philanthropy displaces socio-political circumstances of oppression as personal and cultural failure. The black child is not the primary object of her rescue, but provides a site upon which the authority of personal governance and cultural legitimacy can be forged. As radical feminist Shulamith Firestone argued in the 1970s, to assume that women's and children's interests are identical is to not serve either particularly well.

Once this anecdote has done the work of establishing that Sherwood's sense of responsibility is superior to that of the baby's mother, the narrative drops the problem and retreats into ambiguity. At what point in the chain of leasing the breast—when a nurse is employed for a child in need of a nurse whose child needs a nurse, and so on—does death strike? For how many orphans does Sherwood find and house such nurses? While she attempts to follow the old nurse's advice for saving the children of wet-nurses in her immediate employment, her text is vague on the point at which such management is cut off. On the extent of the rescue of Indian babies affected by her practice of hiring wet-nurses for her own and for the several other Anglo-Indian infants she rescued during her travels, Sherwood abandons her reader. The problem slips into the space of ambiguity when children disappear uncounted. Sherwood's assurance that she "grew more capable of managing when the next occasion of the kind occurred" provides a hollow alibi that absolves maternalism of murder by default (408).[114]

Ultimately, as Suleri demonstrates, the Anglo-Indian woman's attempt to cast a degenerate Indian mother fails to produce an inhuman other. After an encounter with the former nurse of one of her dead children, Sherwood claims a "universality" predicated on the object of their mutual attention: "There are moments of intense feeling, in which all distinctions of nations, colours, and castes disappear, and in their place there only remains between two human beings one abiding sense of a common nature." As nurse and mother share a "primeval" affection for the dead white child, Sherwood cannot but *feel* "in truth" that the nurse "was a human being like [her]self" (337). However, the reverse—that they share a common affection for the Indian baby—does not hold. While the "universal" child seemingly serves to paper over racialized differences, the splitting of the child by adding the descriptors "black" and "white" encodes the limits of "universal" subjectivity (Jacqueline Rose 141). In a narrative advanced on a logic of child rescue, the category of race becomes inadequate to legitimating the claim to a superior humanity. Ultimately, Sherwood demonstrates, culture must be mustered to reinforce and manage difference through a governance based on tutelary relations. This is a point to which I return in my discussion in chapter four of the violation of human rights in Australia today.

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[114] In a literary accompaniment to the Burke-Paine debate on the meaning of rights, in one of the first British novels, Daniel Defoe's *Moll Flanders*, a profligate Moll abandons and loses several children in the process of amassing a colonial fortune.

By the last quarter of the century, Anglo-Indian women had acquired the confidence of self-mastery necessary to establish tutelary relations of power. Their agency resided in the infantilization of the Indian mother through acquiring pedagogical knowledge, obtained in such training manuals for Anglo-Indian women as that written by Flora Annie Steel, the first female British Government Inspector of Schools in India. In "The Duties of the Mistress" (1889), Steel marshals the language of military duty, order, and regulation to advise on household management. From uncertain pupil to confident tutor, the Anglo-Indian woman could now safely displace the object of infantilization from self to other:

> [t]he first duty of a mistress is, of course, to be able to give intelligible orders to her servants . . . . The next duty is obviously to insist on her orders being carried out. Until it is implanted by training, there is very little sense of duty in a child; yet in some well-regulated nurseries obedience is a foregone conclusion. The *secret* lies in making rules, and *keeping to them*. The Indian servant is a child in everything save

> age, and should be treated as a child; that is to say, kindly, but with the greatest firmness.[115] (Steel 127)

The secret of domestic power was revealed to be a matter of proper governance within the confines of the nursery. Implicating the domestic with the political sphere, however, Steel's plan for good household management aligns with Colonel Walker's earlier scheme for socio-political governance. Similarly based on the exploitation of labour managed by a system of "rewards and punishments," household management emerged as a matter of economy, of obtaining servants "at the lowest rate" possible and . . . [giving them] small cash rewards for service rendered and fines for petty infractions" (128). Steel clearly articulated a link between family, nation, and empire, asserting that "[a]n Indian household can no more be governed peacefully, without dignity and prestige, than an Indian Empire. . . . [T]he only way of teaching is to see things done, *not to let others see you do them*" (132, original emphasis). The secrecy ascribed to the Indian household displaces to confer authority on the Anglo-Indian woman. As nineteenth-century imperialists clearly saw it, governance through a regimented household was critical to shaping both national and imperial relations.

Where an infantilized Anglican Sherwood expressed fear that Indian nurses were killing English children, a self-assured evangelical Sherwood was now in a position to advise all those Anglo-Indian survivors of childhood who owed their existence to Indian servants and caregivers. Sherwood speaks directly to her reader:

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[115] One post-Mutiny cross-examination in *The Spectator* (a liberal newsweekly) assesses the Mutiny as a failure of the British to "study Native character" and manage intelligently. It ascribes animal-like qualities to Indian men: "the Hindoo is a tractable animal when he is managed with intelligence, intractable when his European managers are negligent or indiscrete." The "paper takes the description a little further though, in describing the mutineers as 'half children in understanding . . . actuated by the same spirit that animates schoolboys in the 'barring out'" (Hobson). See Ashis Nandy on paternalism's imposition of childishness onto the colonial other as "an inferior version of the adult . . . who needs to be guided, protected and educated as a ward" (56).

> [A]gain I address myself to the children of English parents born in India, who owe perhaps their very existence now to the poor natives of those Eastern climes. Do not forget them but remember, if you are allowed to owe to them an earthly life, implore permission to repay them by aiding the means used to show them the way to gain a heavenly life. (498)

Now confident enough in her own skills to acknowledge a patronizing debt to "the poor natives," the imperial woman ironically perceived her duty as one of cultural tutelage, her power derived from a self-imposed tutelary responsibility over the dependant children and infantilized adults in her household. Although the maternal agent claims that "babies were the objects of [her] first thoughts," her expression of universality is racially exclusive (Sherwood 434).[116]

Dead Letter, Dead Baby: "surely the world is moving"

To flesh out my reading of some of the historical problems for child rights in the context of colonial India, I want to return to Harriet Tytler's *An Englishwoman in India*, which is structured in two parts. While the second part focuses on the Mutiny and the production of the child as retaliatory capital, the first section, which recalls Tytler's childhood experiences, unfolds a script of rescue that informs my argument that global child rights rely on and enable cross-cultural dialogue. Where Mary Martha Sherwood cannot erase the traces of her dependence on the Indian nurse's knowledge, that is, on cross-cultural tutelage, in the context of Anglo-Indian autobiography, the formerly rescued child-Harriet cannot uproot from her memory the Indian adult's moral agency. Humanity is not culturally specific. Unlike the English-born Sherwood, Tytler was born into an army family stationed at that time in Oude (Oudh). She strengthened her military ties by marrying a captain in the British army and, apart from an unhappy sojourn in England to receive an English education, she lived out the greater part of her life travelling about the northern provinces. Despite the retributive logic and defence of British occupation of India in part two of her autobiography, in part one, when her own childhood survival is at stake, a nascent knowledge of child rights teases the accounting. In this context, the groundbreaking provision of the *Convention on the Rights of the Child*—giving voice to the child as a partial person in his or her own right—carries a powerful suggestion.

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[116] When it comes to addressing the problems of global imperialism today, the neo-right politics of maternalism that refuses to ratify the *CRC* is no less exclusive and morally culpable.

Tytler establishes the motif of child-saving in the first few pages of her narrative, marking its predicative significance to the overall narrative structure. After describing food taboos that might "imperil . . . caste," she describes an incident that indelibly shaped her philanthropic worldview.[117] While travelling down the Ganges to Calcutta with her family, Tytler witnessed a number of famine-stricken peasants who had come to the river to die. Many, she notes, were already dead from starvation. When her father stopped to inquire about the situation and offer food, one peasant explained that they could not eat food unless prepared by a Brahmin. Here, Tytler displaces an environmental disaster aggravated by

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[117] The popular European explanation for the Mutiny outbreak begins with an explanation of cultural taboos around food that this narrative is at pains to support. Tytler claims that the alibi of religious taboo was duplicitous. She accuses the Muslim princes of eating forbidden pork disguised by renaming it "English beef."

British economic policies into scapegoated cultural causes. Since there was no Brahmin on board to prepare the food, as Tytler recalls it, the Indian remarked fatalistically, "then we must die" (10). As if to intensify her own sense of helplessness, Tytler emphasizes the littleness of the children:

> I was at this time standing on the prow of the boat, looking on with childlike curiosity, when I observed a *little* infant crawl up to its dead mother and try in vain to obtain some nourishment from her. I recollect perfectly well the whole scene, *little* child as I was, for I could *scarcely* have been six years old, and I said to myself, 'When I grow up to be a woman I will save all the *little* starving children and bring them up as Christians'—an aspiration which never left me until thirty-three years later, when God permitted me in his goodness to carry out my heart's desire. (10, my emphasis)

Displacing socio-economic conditions as cultural debasement, as an inscrutable refusal to eat what food was available (for a few), moral philanthropy glosses over the conditions that make the benevolent gesture necessary in the first place. Tytler's sense of "helplessness," her own littleness, displaces privilege and complicity into an alibi of innocence and puts the notion of Anglo-philanthropic agency into question, for her disjunctive narrative of loosely associated anecdotes is fraught with incidents and rescues, not of Indian children but of English adults and their children. For all the profession of their own missions of rescue, both Sherwood and Tytler inescapably cast multiple Indian principals—the Indian nurse, the bearer, even the sepoy—in the role of child-saving.

Tytler recalls, for example, how once as a child she convinced her siblings to go out late in the day to catch fireflies in order to "loosen them in the house to make it a fairy land"

(16). When the children find themselves lost on the edge of a swamp, terrified of the jackals screaming in the dark and the tigers colouring their imaginations, a sepoy returning to the army post comes across them and leads them home. While she cannot go so far as to erase the memory of her own rescue, Tytler does not recollect the sepoy with gratitude, but notes instead her father's displacement of thanksgiving onto a metaphysical "giver of all good" (18). Nevertheless, her narrative of child-rescue inescapably encrypts a network of mutual dependency.

During another incident in which Tytler's family is travelling by river, the party is swamped in a torrential storm. Saving the family from an "equinoctial gale," torrential rains, and a rising river, their servants find them shelter in a nearby "*good* Hindu's house for hours, till the rain abated" (74, my emphasis). In the single adjective "good," Tytler dismisses this hospitality when compared with her expressions of admiration for an Anglo-Indian indigo planter's hospitality as the "natural" right of the imperial traveler. As if the narrative of child-saving is becoming too freighted with Indian rescues, Tytler inserts a second-hand story of her aunt's encounter with dacoits, or river pirates, some sixty years earlier. When thieves boarded the boat this aunt and a friend were on, the English party jumped into the river and spent the night in an indigo field. At daybreak, Tytler writes, they sent their ayah to find the planter and his wife "who were most kind to them." She concludes: "The indigo planters of India are proverbially the most hospitable people to be found anywhere" (27). Given that the anecdote is here to provide corroborating evidence for the prevalence of thieves in India before the imposition of British law, the digression into considerations of a notorious hospitality is symptomatically insistent, brushing dangerously close to "East India Cotton's" reproach that the indigo planters practiced the worst forms of cruelty and coercion.

Venturing out from the confines of domestic knowledge, Tytler contrasts English governance to the "summary" justice of the former emperor of Punjab, Maharaja Ranjeet Singh, whose rule, she determines, was a time of lawlessness when "no man's property was safe a day, not even his wife and daughters" (27).[118] Conforming with "prevalent British ideas that Mughal rulers were despotic, corrupt, and extortionate," Tytler describes meeting a Hindu beggar who had lost both hands under this regime, as punishment for two counts of theft (Cohn 135).[119] She concludes illogically that justice by benevolent British despots—as "platonic guardians," as patriarchs habitually addressed by the childlike folk as *ma-pap* (mother and father), and, in times of panic, as not-so-benevolent Old Testament avengers—is superior in controlling theft because under British law "[b]y degrees these Thugs ha[d] been entirely exterminated," either by imprisoning them to produce "jail carpets, the best in the world," or hanging them (Tytler 25; Iyer and Hutchins in Cohn 140). "Superior" justice in this understanding alternatively incarcerates and forces labour or exterminates human life altogether.

Tytler thus enters the world of law and imperial opinion, producing a logic of retribution akin to Duberly's to justify British oppression:

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[118] From a different perspective—the Government of India Web Site "Knowing Real Ranjit Singh"—Singh is said to have established a state rather than a kingdom in which Hindus, Muslims, and Sikhs were "equal before the law," all having "the same rights and duties." Muslims and Hindus alike held Singh to be "remarkably just," his army was disciplined, and "he hardly ever [took] away life" (Maheet Singh).

[119] Focused primarily on property rights, the British perceived the Mughal-Indian system as "absolute and arbitrary," unchecked by institutions, its power "derived solely from the will of a despotic ruler." As Cohn points out, "There were no fixed rules of inheritance and, above all, no primogeniture; succession to the throne was based on an inevitable struggle among the sons of the emperor" (140).

> But when this generation passes away, the next will know nothing of the days when their forefathers were under a very different rule, and then will be the time for wretched agitators, who are ever ready to poison the minds of contented people, to do their utmost by sowing the seeds of discontent, by *their one-sided and distorted tales* of our oppression compared to the happy times when they were ruled by their own people; indeed the last few months are proving this already. The poor Indian peasant *can neither read nor write, but he can listen to and believe any amount of made-up lies*, with the natural result of disaffection [for the British]. I have lived long enough in India to know that the native character is not at present one to be governed by laws suited to the European, and therefore it is a mistake to make such laws for them. (27-8, my emphasis)

This tutelary rationale for retribution draws from "one-sided tales" of British virtuosity that support the establishment of a dual legal system—one for the colonized, one for the colonizer—through which colonial governments enforced compliance to a new political order.[120]

Within the nursery and the realm of empirical experience, Tytler is somewhat more empathetic. As part of the broader discourse of English law in India, Tytler, who was writing at the height of the movement for British women's suffrage, raised the question of human rights in the context "*zenana* teaching." Drawing from her own experiences of domestic encounter, she assured her reader somewhat disingenuously that the only thing one old Sikh, the father of one of her servants, disliked about English rule, for he liked the order it brought, was that the English taught "women to rebel against their husbands." Tytler quotes the Indian patriarch: "If I find fault with my wife she says, 'I will take you into court'" (27). For a self-satisfied Tytler, establishing human rights become a matter of a top-down imposition of culture through establishing "dependents in tutelage" (Ignatieff "Dignity and Agency" 163): "Does not this show that *zenana* teaching is sowing the seeds of women's rights even in India? Just imagine the audacity of a native woman in former days daring to threaten her lord and master to take him into court. Surely the world is moving" (Tytler 27). Tytler is right in claiming human rights as "the only universally available moral vernacular that validates the claims of women and children against the oppression they experience in patriarchal and tribal societies" (Ignatieff "Human Rights as Idolatry" 68). Where she errs is in conceiving a cultural superiority as an alibi for imposing a culture-bound moral concern onto a dependent beneficiary.

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[120] See, for instance, Bernard Cohn's "Law and the Colonial State in India" and Sally Engle Merry's review essay "Law and Colonialism."

Yet, in her partial defence, the English woman in India recognized injustice within her own culture: "I do think as a rule mothers are hard on their girls where a darling son is concerned, engendering selfishness in men in after-life, specially towards their daughters and wives," she states (Tytler 8). As Jo-Ann Wallace observes, "The autobiographical site of 'childhood' . . . offers both an explanatory and an emancipatory potential" ("Describing" 183). Alluding to child rights in the context of her own unhappy childhood, Tytler suddenly finds moral imagination inadequate to address children's rights. Suggesting the need to work toward an international ethical-juridical understanding, she turns to US law.[121] Over a childishly perceived injustice, a still embittered adult Tytler contends, "in America . . . children *are not allowed by law to be cruelly treated*" (42, my emphasis).[122] When it comes to her own interests, law, not moral imagination, is the English woman in India's answer to securing dignity and justice for women and for children.

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[121] "Even within the common law tradition, American and English law have been shown to function very differently, in large part because of the different legal, political and institutional cultures in which the law operates," Philip Alston notes in partial response to the criticism that child rights are Eurocentric (23).

The construction of child rights in Britain depended on the infantilisation and racialization of a deviant segment of society to justify state intervention into "private" matters. Child rights could not develop without the complicities of empire where the tutelary systems of birth certification and "*zenana* teaching" were worked out before they were imported into the "mother" country. While transposing the domestic problem symbolically to India served for some to mitigate—even deny—the problem of infanticide at home, the trope of infanticide could not be contained in the Empire. Everywhere throughout the century, it erupted and multiplied, inciting a general child-welfare panic in Britain. In my next chapter, I examine Charles Kingsley's location of the street child in *The Water-Babies*, one of the first novels written for children, in the context of the emergent discourse of child-rights. Through an act of inversion, Kingsley rescues the juvenile delinquent living and working on the streets of industrialized Britain only to drown it to effect a spiritual cleansing. In staging infanticide as a moral lesson for British children, Kingsley demonstrates the two geographically separate enterprises of child-saving—in the mission fields of India and the industrialized dens of iniquity at home—were ideologically interdependent.

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[122] Her brother, who had come from boarding school to visit his two sisters, bought some small cakes with his own money. The children gorged on the cake, spoiling their dinner. And, suspicious, their aunt investigated and took the remaining cakes away. Tytler's brother furiously questioned the "right" of this "hard-hearted" aunt to take the cakes and eat them herself.

Chapter Three: "Cold-Blood Theory" and the "Floating Population"

Every now and then, there came two or three hundred thousand strangers out of the forests and crossed the mountains and rivers. They come to us every year and in greater numbers. What are your invasions of the barbarous nations, your Goths and Visigoths, your Lombards and Huns, to our Population Returns! (Disraeli 175)

What an awful row of integers do he and his like represent. (Archer 223)

When as here and elsewhere I speak of society as a responsible whole, having rights and duties, I mean, of course, the ruling power of society, the class which at present holds social and political control, and bears, therefore, the responsibility for the condition of those to whom it grants no share in such control. (Engels, note 1)

In the wake of Poor Law Amendment Act of 1834, an anonymous critic calling himself "Marcus" and posing as a neo-Malthusian "Whig-Herod" published a satirical little pamphlet titled *The Book of Murder*.[123] This anti-workhouse text excited immediate controversy, inciting a whole slew of knowing and naïve responses.[124] Perhaps drawing inspiration from Jonathan Swift's "Modest Proposal" to murder pauper Irish children for reasons of political economy, *The Book of Murder* proposed to gas all surplus infants over three per family in Britain and one in Ireland—for the benefit of "the world." The neo-Malthusian Marcus denied "the *right* of parents to rear more children than are required by society" and denied "the *right* of any infant to its own life," calling "the infant's claim to existence an *imaginary* right" (McDonagh 100; *Book of Murder*, original emphasis). In a heated prefatory objection to Marcus's proposal, the book's editor ("Marcus") directly accused that the "cold-blood *theory*" of the "*Guardians* of the Poor" was indebted to "savage and uncivilized nations, to the "old Spartans," the "Rajputs in India," and to the "Chinese child-slayers" (original emphasis). Working within the same frame of reference as the guardians of the poor—racial difference encoded as cultural degeneracy—this critique of neo-Malthusian paternalism summons up a civilized-savage identity differential that inverts the agent and victim of violence but remains trapped within a violent adult-child binary.

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[123] In 1832, a Royal Commission established to investigate the system of poor relief reported that relief encouraged profligacy and immorality since women were rewarded for producing bastards. The Poor Law Amendment Act of 1834 thus adopted Malthusian principles of moral restraint; releasing fathers from their legal responsibilities to their children, it made illegitimate children the sole responsibility of their mothers, denying women the right to name and petition the father for financial assistance. Opponents of the Act argued that changes to poor relief encouraged child murder. This unpopular measure was overturned in 1844, when unmarried mothers were allowed to apply for maintenance.

[124] The Poor Law Amendment Act aggravated inequitable social conditions generally and solicited public sympathy particularly for women giving birth to illegitimate children. See chapter four of Josephine McDonagh's *Child Murder and British Culture: 1720-1900* for an extensive reading of Marcus's *Book of Murder*.

Infanticide provided a site for racializing, criminalizing, and infantilising the British poor. If the problem were not a matter of individual degeneracy but as in India or China of the culture of an entire segment of the nation's populace, technologies of social improvement could be applied wholesale to the degenerate masses. Degenerate morality provided the reforming social engineers with a "point of application" for establishing a "whole new system of truth" on which normative disciplinary and punitive penal powers could meet in Britain (*Discipline and Punish*, hereafter *D&P*, 22-3). On the stage of infanticide, social behaviour and desires could be reformed. Thus the condition of illegitimacy attached to the child of immoral liaison accompanies the travels of infanticide and erupts in various discursive contexts to mark a fundamental violation of human rights.

In the natural-civil rights debate centred on the child, the conservative standpoint was a nostalgic attempt, in its attack on the extension of male suffrage, to restore paternal relations between a protectionist land-owning class and a dependent populace.[125] Disraeli, for instance, tied the nation's poor to a notion of debased nature and posited child murder as a cardinal sign of their savage immorality. In his tribute to the "magic power of [young aristocratic] youth in touching the heart of a nation," the Tory parliamentarian placed infanticide at the very centre of an England divided into "two 'Moral Worlds'" by splitting the child into legitimate and illegitimate pieces (42-3, 122). With *Sybil*, Disraeli takes infanticide to the streets of "Young England," where class division into rich and poor hinges on the figure of a stunted orphan with no "baptismal or patrimonial" name:

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[125] The general movement to democratic reform in Britain can be marked by the First Reform Act of 1832, which extended the male right to vote, to the Equal Franchise Act of 1928, when women achieved universal suffrage.

> There are infants that will defy even starvation and poison, unnatural mothers and demon nurses. Such was the nameless one of whom we speak. We cannot say he thrived; but he would not die. So at two years of age, his mother being lost sight of, and the weekly payment having ceased, he was sent out in the street to 'play,' in order to be run over. Even this expedient failed. The youngest and the feeblest of the band of victims, Juggernaut spared him to Moloch. *All his companions were disposed of.* (131, my emphasis)

In *Sybil*, the sole survivor of infanticide, christened Devilsdust, is illegitimate. The patriarch is industrialism itself; thus he is claimed or legitimated through naming and, inventively, survives infanticide to become a prospering capitalist only insofar as he will be an asset to capitalism. Disraeli's prescription for remedying systemic poverty, however, passively disposes all of Devildust's unnamed companions, who are indiscriminately disappeared to enable the rise of individualism. These are the children marking the absence of child rights in the capitalist logic of self-advancement and self-provisioning.

When Devilsdust's factory-worker mother is "lost sight of" (the passive narrative voice indexes she is not the subject), the wet nurse in charge of the boy puts him onto the streets so as to rid herself of a financial burden (131). Disraeli packages a romanticized set of neo-feudal values in novelistic form, producing an idealised class of aristocratic younger sons as the "Youth of a Nation" who will act as "the trustees of Posterity," a trusteeship predicated on saving potentially useful pauper children. The illegitimate child usefully serves to contain what Disraeli identifies as the deranged morality dividing the national "body politic" into monarch and multitude. Disraeli's blueprint for reunifying this moral divide advances on a paternalist politics of "protection" (497).[126]

Troping child murder as a sign of moral degeneration and locating it as the collective act of the pauper classes, *Sybil* sets the stage for moving infanticide into the discourse of juvenile delinquency. When the victims of infanticide survive, the problem for the nation becomes how to manage their too visible presence.[127] Disraeli framed this problem of poverty as a question of moral tutelage, as the need for a national civilizing mission to normalize the delinquent masses. Once infanticide was identified as pauper-class atavism, new mechanisms of disciplinary control, the certification of birth, for instance, could be imposed on an indifferent nation-state to manage the murdering classes through monitoring and strengthening the "moral force" of the nation (423). Disraeli warned that the massacre of infants taking place "legally" in England had not yet gripped Victorian minds preoccupied with the civilizing missions abroad (131). If the wheels of the imperial "Juggernaut" of pagan immorality did not kill off the nation's street children, he stated, mapping an imperial icon of moral degradation onto the pauper multitude, poor children in this model survived only to be sacrificed to the machinations of industry.

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[126] As the monarchy disintegrated, so its subjects "degenerated," Disraeli claims (*Sybil* 497).

[127] Disraeli states in *Sybil* that "It is not that the people are immoral, for immorality implies some forethought; or ignorant, for ignorance is relative; but they are animals; unconscious; their minds a blank; and their worst actions only the impulse of a gross or savage instinct." He ascribes a degenerate "heathen character" to one industrial settlement that was "land without an owner," without a parish, and without "meddlesome supervision" (203-4). Disraeli supported a romanticized notion of a union between the church and a free monarchy as paternal protector and champion of a homogeneous, neo-feudal "People." This text employs an older concept of race focused primarily on lineage and "natural" characteristics, although it introduces elements of an emergent racialism based on physical distinctions and rationalized by imperial difference. In *Sybil*, the debased individual *within* the nation is a "beast" of nature.

Yet it would take another twenty years for child-saving evangelicals such as Dr. Barnardo to shift their enthusiasm from foreign missions in China to the East End of London where "the Home Mission enterprise" was established (Bready 86, 87). Exported as a cheap replacement for slave labour, the poor child acquired a surplus value for the state. The child provided a rationale for the paternal state figured as the dutiful father of "one great [national] family" to implement the civilizing "mechanisms of normalizing judgement" not only in the Empire, but closer to home (Grosvenor qtd. in David Roberts 190). The issue of bastardy brought the question of culture to politico-economic reform, and, as it was in India, the battle for legitimate authority was waged on the ground of the illegitimate child in the national effort to root out moral deviance. The discourse of infanticide justified intense surveillance not only in colonial India, the "testing ground" for working out such mechanisms of social governance as birth certification, but also on the poor and working-class populace of urban Britain. The domestic discourse of infanticide was inescapably laced with allusions to the imperial margins, yet the ways in which these reports related the situations at home and in the Empire varied greatly.[128]

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[128] Child murder was ubiquitous, figuring in the social criticism of Thomas Carlyle, the evolutionary theory of Charles Darwin, the literary criticism of Matthew Arnold, in autopsy and medical reports, in broadsheets and Sunday editions, in stage plays and ballads, in missionary tracts and autobiographies, and in the fiction of George Eliot, Charles Dickens, Frances Trollope, and George Moore, for brief example.

While infanticide in India outraged the British public, it was often treated with sympathy at home. Although one article in the *Edinburgh Review* containing no mention of the controversy raging through England at this time could reveal a smug satisfaction with the "British ability to regulate Indian affairs," generally, the nation's moral panic intensified as infanticide crept into every crevice of the collective imagination (Ruotolo "Infanticide and Empire"). As Lionel Rose notes, within the frame of thirty years, public opinion shifted from commonly assuming infanticide to be a crime committed elsewhere to expressing fear that it was a rampant contagion at home.[129] As the problem became increasingly more visible, the social crisis could no longer be managed by displacing it into the Empire. While imperialists writing home about their experiences fed the nation's fascination with the exotic and lurid, ultimately the apportioning of child murder could not be confined to the margins of empire.[130] Thus while the mechanisms of surveillance and other disciplinary apparatuses of power were worked out in India, where penal control rather than justice was an overriding concern of the ruling power and where the whole reforming effort was abruptly dropped at the end of the century, child rights were refined in Britain where social reformer and evangelist, both determined that the monstrous custom had to be stopped, met on the cultural ground of pauper-class morality.[131]

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[129] See Lionel Rose on the overdetermining factors contributing to the rapid change. Some of these include the enactment, although it was not yet compulsory, of the Birth and Death Registration Act (1836), the rising interest in public health set off by the cholera epidemics (1832, 1848, and 1854), the development of the coroners' system and publication of inquest reports, the growth of a popular press, the "enhanced self-image of the medical profession," the improvement of policing, and the "sewerisation and water-closeting of London," in short, the development of state institutions (35-40).

[130] Immediately prior to the changes to the 1834 Poor Law in Britain, for example, Dr. Charles Severn believed infanticide to be a common occurrence with the pagan cultures of China, India, and the South Seas, but a rare crime in England (Lionel Rose 36). By the 1852 coroners' inquests, however, the nation feared that the English would soon rival the Chinese in their callous attitudes to life. While *The Saturday Review* (1856) called for a stop to granting immunity to the perpetrators of the "national disgrace," after 1849 in Britain, no woman was hanged for the murder of her own infant under one year of age. At this time in India, however, Judicial Commissioner Montgomery proposed in his Minute of 1853 to punish as murderers all who committed infanticide in the Punjab (Hjejle 385).

Preceding Matthew Arnold's canonical treatise on moral authority, *The Saturday Review* (1856), for instance, insisted through a series of binary imperatives that

> [t]he moral sense of the community must surely be roused . . . . Either we must sink into the horrid apathy of *nec vitia nec remedia pati possumus*, or we must compel a remedy, however violent. Infanticide must either be recognised as the custom of the country, or it must be stopped . . . . For the future, we must be content to copy the morals of China and Owhyhee, or Christian England—as, by a pretentious ostentation, this country loves to style itself—must turn over a new leaf. ("Infanticide") [132]

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[131] Although East India Company policy in India was not uniform, agents in some difficult-to-control, or delinquent regions made birth registration compulsory. In Allahabad, for example, as early as 1840, a coercive system of supervision bound local police officers and midwives to report all births, and by 1850 civil registration was instituted as part of the effort to monitor contagious diseases (Hjelje 377). In contrast, while civil registration was systematized in Britain in 1837, it was not made compulsory until 1875. As a political issue, birth registration in England continually met with a lukewarm response, reluctantly addressed only under the pressure of medical officers and coroners. Without strong civil registration systems, declares UNICEF today, not only are unregistered children "completely invisible when important policy and budget decisions are made," but an unregistered child will be a more attractive "commodity" in the industries of child trafficking and illegal adoption (Editorial, *Birth Registration: Right From the Start*). My point is that the British legal system was worked out in India only in those areas in which it paid the government to do so, that is, in areas most resistant to British dominance; when it was no longer profitable to maintain institutions of social control, Britain reneged on its responsibility to insure social protection.

[132] The phrase "*nec vitia nosta nec re media parti possumus perventum*" (we can bear neither our diseases nor their remedies" is from Titus Livy's preface to *The History of Rome*:

> Then as the standard of morality gradually lowers, let him follow the decay of the national character, observing how at first it slowly sinks, then slips downward more

Drawing attention to "his" privilege in having received a classical education, the anonymous writer of this piece distances himself from the uneducated masses by figuring the poor as the agents of child murder. The Latin phrasing of his conviction refers to the condition of the nation, suggesting that as moral standards lower, national character decays. The focus on morals displaced social conditions into cultural matters where divisions between high and low aesthetics supported a paternalist interest in keeping the classes separate. By splitting the nation into two—pure and contaminated—and manufacturing difference by conflating poverty with moral deviance, the paternalists perceived the acquisition of bourgeois moral standards as a prerequisite for gaining entry into the elite group of enfranchised citizenry.

The formula for moral inculcation expressed by reformers in India—follow the child into the family—was not lost on these paternalists.[133] As David Roberts observes in his detailed study of *Paternalism in Early Victorian England*, children provided the central image in all debates at this time (190). Vested in maintaining a dependent populace, the paternalists feared that the expansion of civil liberties would contribute to an overall degeneration of morals. The Duke of Richmond, for example, argued that it was the state's duty to intervene and protect the populace from itself by placing the state in *loco parentis*. The state, they claimed, must take up its duties as *parens patriae* (father of the nation) to provide general guardianship of the weak and helpless of society figured legally as "infants, idiots, and lunatics" (David Roberts 191).

> and more rapidly, and finally begins to plunge into headlong ruin, until he reaches these days, in which we can bear neither our diseases nor their remedies.

[133] In "Human Rights, Law and Democracy in an Unfree World," Norman Lewis expresses the conservative fear of human rights today, that they are eroding national sovereignty and democracy.

Along with the civil duty to protect came the sacred duty to provide moral guidance. The bishop of London determined it this way: "'That government best answered the purpose of its institution . . . when it came nearest to paternal rule.' When parents neglected those duties, he added, 'it was the sacred duty of the legislature to interfere'" (qtd. in David Roberts 191). Paternalist state tutelage advanced on regenerating the pauper classes through inculcating a proper moral disposition. Not some abstract utilitarian notion of greatest good, but a concrete image of unprotected childhood—that is, a particular notion of childhood—authorized this agenda for strengthening the nation (190). At stake: the moral rescue of the child, without which there is no father as governor. The problem is, of course, that without child-centred legislation to protect against paternalist self-interest, the use to which that child would be put was up for grabs.

Once identified as atavistic pathology, the deviance at the heart of the Empire could be eradicated by raising the masses up morally through education—in the name of the murdered children. In his popularly anthologized essay "The Function of Criticism at the Present Time" (1864), Arnold supported establishing a secular system of education for the purpose of moral regeneration in which cultural authority was to replace church authority in the inculcation of national values. Like the church-supporting Disraeli, however, Arnold held a strangled child up to the nation for moral inspection.[134]

The essay compresses various social ills into the metaphor of infanticide to shock those nationalists expressing a vulgar sense of patriotism into an awareness of their barbaric Anglo-Saxon roots, best discovered in the blunt language of the popular press, in the

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[134] Where Disraeli saw a simple binary between rich and poor, Arnold divided class along three lines, the aristocratic Barbarians, middle-class Philistines, and the Populace.

"hideous" name of, say, "Wragg." To deflate the self-complacency of nationalist dithyram, the parochial chant that the British are the "best breed in the whole world," Arnold set jingoistic sentiment next to the blunt prose of a *Times* news report (March 1865) for sobering effect:

> A shocking child murder has just been committed at Nottingham. A girl named Wragg left the workhouse there on Saturday morning with her young illegitimate child. The child was soon afterwards found dead on Mapperly Hills, having been strangled. Wragg is in custody. (40)

"Wragg is in custody," Arnold reiterates with a simplicity that emphasizes its invigorating "touch of grossness" excited by the transgression of the cardinal taboo of child murder (40). *The Times* nevertheless produced an element of the bathetic in the anticlimatic fall from scandalous act to passive condition, to an incarceration from which Wragg would, in all probability, be released or transported to Australia, as a lesser penalty than hanging, where, I elaborate in my next chapter, the moral criminal contributed to the founding ethos of the Australian nation.[135] In the shadow of Burke, whom Arnold references, Arnold held vulgar aesthetics responsible for contributing to the moral degradation of the nation. And like Burke he framed this degradation as a question of moral tutelage centred around the trope of infanticide.

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[135] Although the severity of the New Poor Law shifted public sympathy generally towards women, counter-sympathetic accusations that infanticide was increasing reached a peak in the 1850s and 60s (Lionel Rose 27, 29). An extraordinary number of women were acquitted despite the law that they should be sentenced to death. As Lionel Rose notes, "it was almost certain that [they] would be reprieved by the Home Secretary, and increasingly, therefore, legal proceedings were condemned as a "solemn mockery" that encouraged the practice (74-5). Arnold's solemn mockery is perhaps a literary critique of the erratic legal system.

Arnold's cultural theory hangs national legitimacy on the moral rescue of the illegitimate child, which continues to haunt his development of ideas in *Culture and Anarchy*, where Wragg's illegitimate child ghosts the presence of other Arnoldian children: adults inversely figured as "children of the established fact," "children of God," "children of Hebraism," "children of Romanticism," and "children of Protestantism." These child-figures authorizing varying, interrelated cultural parentages periodically flit onto Arnold's page in brutal opposition to the mob of actual children—"eaten up with disease, half-sized, half-fed, half-clothed, neglected by their parents, without health, without home, without hope"—that, in valorizing national culture over social reform, Arnold cast to the winds of aesthetic universalism (84, 90, 134, 175).

"[S]et plumb in the middle of the Hyde Park Riots of 1867," *Culture and Anarchy* conjoins individual morality and national disposition through cultural tutelage (Said 130). For Arnold, culture should prepare the child-like worker for manhood suffrage by constituting an "idea" of the state and its ideal subject-citizen. Reconciliation of the class divide could be achieved through forging a detached moral "best self."

> [B]y our *best self*," Arnold claimed, "we are united, impersonal, at harmony. We are in no peril from giving authority to this, because it is the truest friend we all of us can have; and when anarchy is a danger to us, to this authority we may turn with sure trust . . . . We want an authority, and we find but jealous classes, checks, and a deadlock; culture suggests the idea of *the State*. We find no basis for a firm State-power in our ordinary selves; culture suggests one to us in our *best self*. (*Culture and Anarchy* 99)

In delineating the tutelary role of a select elite, of which he is a guiding member, the literary critic displaced the moral deadlock between starving child and disinterested man as a question of style or well-formed subjectivity.[136] Again, like Disraeli, Arnold's answer for unifying the nation was to divert attention from social conditions that set off the "moral panic" of infanticide to the realm of culture, as a question of depraved morality (Lloyd and Thomas 118). Social issues displaced as a matter of palliative cultural aesthetics, for as Edward Said via Antonio Gramsci teaches, hegemony is achieved through cultural consent. To legitimately claim cultural superiority, the nation needed to affect moral unity through aesthetic training, which, according to Arnold, must precede male suffrage. To that end, the state needed to take an ethical tutelary role to forge a citizenry willing to submit "not only to the criteria of 'disinterest,' but to a "dominant paradigm of the well-formed subject" (Lloyd and Thomas 117). So long as a tendency toward a savagery figured as child murder contaminated the nation's moral disposition, the masses remained undeserving of the right to citizenship and a share in democratic power.

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[136] For a global interventionary prescription, see Gayatri Chakravorty Spivak's "Righting Wrongs":

> The training provided by activists is generally from above and emphasizes consciousness raising: rights, resistance, nationalism, identity spliced on to literacy and numeracy. My method is to learn from below how to fashion, together, a way of teaching that will put in place reflexes or habits of mind for which the shortcut name is 'democracy.' Since this is the largest sector of the future electorate, my belief is that without the habit of democracy, no reform will last. (581)

The difference between an Arnold and a Spivak, in terms of habit-formation, lies not in the argument for the need to change "habits of mind," but in pedagogy. The first sentence outlines a cultural imperial approach. The second engages with current pedagogical debates influenced by Paulo Freire's *Pedagogy of the Oppressed* on the relation of teaching to learning, taken globally. This approach aims at resolving "the teacher-student contradiction" by exchanging the banking model of depositing information—that is, filling empty vessels—for a model that makes the teacher a "student among students . . . to undermine the power of oppressions and serve the cause of liberation" (Freire 56). Such a model encourages creativity and transformation from below, is practiced at the local level, and is legitimated by the hard work of acquiring cross-cultural capital starting with language acquisition. However, there are situations, Jo-Ann Wallace demonstrates, in which interventionist advocacy not from "above" but on the "basis of contingency and continual (re)negotiation" is legitimate ("Feminism and the Politics of Advocacy" 158). Activism as coalition politics cannot be dismissed as a moral option. Spivak's is but one way.

The infantilization of the masses thus served the interests of the paternalist impulse to impose a particular vision of culture, establishing the paternalist as the nation's tutor. Arnold's cultural remedy displaced the question of distributive justice into a hollow Wragg-like custody—as a matter of criminality (Lloyd and Thomas 81). Just as Burke had before him, Arnold implied that unrestrained civil liberty presupposed infanticide and an accompanying need for punitive control. Rightly, he conceived that unrestrained individual liberty advances on an opposing logic of repression. Some sixty years after Thomas Spence, Matthew Arnold's vision for the role of education, as a long-term remedy for reforming the degenerate nation, drew for authorization not on the mass of pauper children, the survivors of Wragg-like infanticides, but on the figure of the strangled baby.

And Arnold was no champion of children's rights. According to Arnold, the "multitude of children who were gathered . . . in one of the most miserable regions of London" could be put on hold until some uncertain time in a slowly arrived at future (175). Arnold argues away the reforming call to social and political action, insisting:

> Everything . . . confirms us in the doctrine, so unpalatable to the believers in action, that our main business at the present moment is not so much to work away at certain crude reforms of which we have already the scheme in our own mind, as to create, through the help of that culture which at the very outset we began by praising and recommending, a frame of mind out of which really fruitful reforms may with time grow. (179)

Arnold has it right that culture is indispensable for achieving hegemonic consent for reform but he keeps the child segregated from the problem of distributive justice; in contrast, the child of the UN CRC teaches that the relation between welfare and due process rights is not a matter in which precedes the other: they are inextricably bound. In mass, pauper children signaled danger. They were a too visible reminder of the failure to repress the knowledge that fraternal contract law is exclusive. As Marc Shell points out, if all men are brothers in the fraternal model, then those who are not brothers are not men, but deviants excluded from the logic of liberal equality. As the child falls outside the realm of contractual fraternalism, it links the deviance within the nation to that abroad, placing both the child and the savage other in a relation of paternal dependency in which tutelage comes before rights.

Although children provided a platform on which *Culture and Anarchy* could put the reform movement into question, to facilitate the turn to a philosophical working out of the national "best good," Arnold confined them to the abstract realm of aesthetics. In contradistinction to the *Convention on the Rights of the Child*, which makes the "best interests of the child" its primary mandate, *Culture and Anarchy* brushes aside the social and economic present of children to argue for the deferral of ameliorative action. Rejecting (human) rights as "stock notion and mechanical action," Arnold affected a one-dimensional retreat into culture tutelage as a means to dissolve feudal bad "habits" and thus devalue the child as a small deposit for future national investment (164). There are no child rights in the polarized Arnoldian divide between self-interested adult and (the mass of) the nation's children. According to Arnold,

> [I]t is unsafe and misleading to say that our children have rights against us; what is true and safe to say is, that we have duties towards our children. But who will find among these natural duties, set forth to us by our consciousness, the obligation to leave to all our children an equal share in the enjoyment of our property? Or, through consciousness tells us we ought to provide for our children's welfare, whose consciousness tells him that the enjoyment of property is itself welfare? Whether our children's welfare is best served by their all sharing equally in our property, depends on circumstances and on the state of the community in which we live. With this equal sharing, society could not, for example, have organised itself afresh out of the chaos left by the fall of the Roman Empire; and to have an organised society to live in is more for a child's welfare than to have an equal share of his father's property. (161-2)

So long as they did not impinge on his rights to property, the aesthetically trained man would somehow automatically shoulder his philanthropic duties—to his own family. Although his theory advances on the trope of infanticide, bastard and orphan children get lost in Arnoldean theory, in which, in the valorization of culture over political action, children split off from their material conditions and get mystified in an economy of "the universal." Such mythologizing denies children their inalienable rights to resources in the material present.

By his suppression of distributive equity, the nineteenth-century cultural critic committed a theoretical infanticide. In arguing that the moral citizen could be "educed" from the human being through an "education based on inculcating aesthetic judgment as ethical training," Arnold posits the educable child as the linchpin of nation-building, making the teacher a suitable "ethical tutor" to replace the "*pater familias* in effecting the transfer of the subject from the private to the public national family" (Lloyd and Thomas 17). Lopsidedly, aesthetic welfare took precedence over social welfare. Educators were now concerned "with the children's internalization of 'the new social and moral norms' and with the necessity for 'a new 'sympathetic' relation between the children and a specially-trained teacher'" (Lloyd and Thomas18). As a site of a national-moral tutelage, the child was primed to bring culture into the nation's families, but the nation's children were split: one portion to be nurtured, the other to be shipped to the labour pools of the Empire as a disposable commodity.[137]

By 1870, at least one social investigator remarked on the cost to the state of this uneducated "floating population" of "water-babies," or foundlings, grown into juvenile criminals (Archer 219, 155).[138] In this understanding, the water-baby that survived, the child *at risk*, became the costly juvenile delinquent, the child *as risk*:

> There is no need to follow such a lad as this in his career, from the trifling theft to the regular trade of filching, and so on to petty larceny, robbery, burglary, or the various degrees of crime, in which he has no lack of preceptors, in and out of prison, where he costs us more than if we had sent him to a good public school till he had acquired 'the usual branches of English education.' Regarded as part of the mere

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[137] See Robert Hughes' *The Fatal Shore* for a good account of the transportation system. Although the transportation of adult criminals to Australia was finally abolished in 1868, it had begun to decline in the 1840s and was rare after 1857. However, the exportation of the "floating population" of children continued unabated until well into the twentieth century by such enterprising government-assisted organizations as Barnardo's, the Catholic Emigration Society, and the Fairbridge Society. As Margaret Humphreys states:

> The logic behind the schemes was becoming clear. Britain paid money to remove a social welfare problem; Australia increased its population. It fitted perfectly into the rationale of the charities, many of which believed that urbanization and industrialization were the roots of all evil. What better way to reverse this trend than to take children from the slums and, in the time of emancipation of slavery in the US, turn them into new-world farmers? (280).

> question of profit and loss in the national account, as fractions in the sum of political economy, what an awful row of integers do he and his like represent. (Archer 223)

But as one Canadian colonial critic feared, the "wild oats" of Britain were "criminals 'in embryo'" about to be dumped "in virgin soil" (Bready 220, 221). This question of who should shoulder the fiscal burden of philanthropy's "nobody's children" continues to define the struggle between capitalist self-interest and socialist politics today (Archer 37). When the nation-state goes global, chapter four discusses, the problem of surplus children shifts to focus on the relation between the nation-state and the infiltrating refugee child.

At the same time Arnold was publishing his influential essay on aesthetics, writers for children were generally turning from producing didactic religious fare to prescribing a more palatable aesthetic in the form of fantasy and fairy tale. The "golden age" of writing for children thus accompanied the middle-class retreat into culture by such paternalists as Disraeli and Arnold and the Christian clergyman and professor of modern history, Charles Kingsley, who took up the tutelary challenge of taking culture to the nation's children. Curiously, Kingsley's classic novel *The Water-Babies* (1863) brought the discourse of infanticide quite "simply to every bourgeois child" (Cunningham 122). As my reading of *The Water-Babies* demonstrates, the struggle for civil rights, or, in this instance, working-class male enfranchisement displaced into the trope of liberating the child's spirit. Distributive justice became a matter of religious tutelage.

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[138] Archer's water-babies are the "orphans" of the vast number of British sailors away at sea. Here the referent slips from dead child to living orphan.

"Criminals in Embryo"

States Parties agree that the education of the child shall be directed to:
. . . The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own. (29.c, *CRC*)

Like any good imperialist adventurer boy of the nineteenth century flexing his scientific curiosity, four-year-old Julian Huxley sought the empirical knowledge of eyewitness. Upon seeing with his own eyes an illustration in Charles Kingsley's *The Water-Babies* of his biologist grandfather peering at a bottled baby, Julian immediately wrote to his grandfather T.H. Huxley, tireless champion of Charles Darwin's *The Origin of the Species*, to ask if he had actually seen one, asking: "Dear Grandpater have you seen a water-baby? Did you put it in a bottle? Did it wonder if it could get out? Can I see it some day? Your loving JULIAN" (Thomas, epigraph). If the scientists and philosophers did find a water-baby, Kingsley joked, they would attempt to take the divine mystery out of human origins by putting the child "into spirits, or into the *Illustrated News*, or perhaps cut it into two halves . . . and send one to Professor Owen, and one to Professor Huxley, to see what they would each say about it" (*Water-Babies* 77).[139] A tongue-in-cheek Kingsley playfully criticized this rationalist quest for knowledge. Julian Huxley was hooked and throughout his adult career as a zoologist, he periodically inserted an exemplary water-baby into his lectures and essays.

Huxley grew up to become one of Kingsley's "great [men] of science" investigating the very areas Kingsley declared off-limits—embryological, evolutionary questions such as

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[139] We do know what Thomas Huxley had to say on the subject, at least to his grandson. Encouraging Julian to become "one of the great-deal seers" of wonderful things, a tutelary Huxley replied: "There are some people who see a great deal and some who see very little in the same things" (T.H. Letters and Diary 1892).

"why a hen's egg don't turn into a crocodile" (Kingsley in Merrill Squier 35).[140] In presenting the reader with an incomprehensible proposition—bird metamorphosing into reptile—Kingsley presented a piece of "joking nonsense." The joke lies in recognizing that "the truth" has been displaced into a parallel metamorphosis troped as the baptismal journey of a chimney sweep turned water-baby, in which God's, or some helpmeet fairy's hand is indispensable. The question of why a hen and not a crocodile emerges from the egg is akin to the mystery of which comes first, hen or egg. Such answers, the Christian Socialist implies, are matters of origin, or patrimony, best attributed to his God. Although Kingsley approved such scientific studies, the trick was not to remove the paternal element of mystery presiding over all.

Julian Huxley was just the sort of middle-class boy reader to recognize and be interpellated by Kingsley's teasing (Freud, *Jokes and Their Relation to the Unconscious*, hereafter *Jokes*, 95).[141] As Jacqueline Rose notes, the linguistic problem of enunciation, the gap between the speaker and the spoken, undermines any notion of simple communication between adult and child. Although "children's fiction rests on the idea that there is a child who is simply there to be addressed," Rose notes, "there is no child other than the one which the category [of children's fiction] itself sets in place, the one which it needs to believe is there for its own purposes" (1, 10). "What matters," therefore, "is the way that the child is placed in the story," for the address to the reader is an authorial "claim on the child, a demand made on the child [reader] as a means of holding it fast" (22-3). The child of Kingsley's address, the one set in place to "hold off" mid-century reform panic, is an Arnoldian middle-class boy with wit and cultural training enough to share the jokes of Kingsley's muscularly Christian imagination.

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[140] In his letter to his grandfather, the young Huxley

> deals with themes to which he would return with almost obsessive frequency as a professional zoologist and popular science writer: embryonic development ("water-babies"); desire to make something visible ("Did you see a water-Fbaby?"); scientific power and control ("Did you put it in a bottle?"); conflict between empathy and scientific objectivity ("Did it wonder if it could get out?" "Can I see it some day?"). (Merrill Squier 29)

[141] For a discussion of the problems of interpellation see Jo-Ann Wallace's "De-Scribing *The Water-Babies*: 'The Child' in Post-Colonial Theory" in which Wallace analyzes the child as a complex site of "overdetermined and often contradictory investments" (177). As such, interpellation of the subject of address is uneven and complicated.

In presenting the joke, which in Freud's toolbox of conceptual strategies is a mechanism for releasing inhibitions, Kingsley shares with the knowing reader a double economy of merit (rewarding the recognition) and naughtiness (releasing the forbidden). The joke is entirely subjective, Freud states: "the condition of intelligibility is . . . binding on it; it may only make use of possible distortion in the unconscious through condensation and displacement up to the point at which it can be set straight by the third person's understanding" (*Jokes* 238). The reader who recognizes the joke is provoked to pleasure, and through this (re)cognition and enjoyment, he understands that the text is "really" addressed to him (Althusser in Silverman 219). Cognition of the joke, then, is a technique of Althusserian interpellation marking a place of identification in the text in which the joker's ally is always the subject and not the object of the joke. The joke calls for three people: the author, who derives enjoyment in making the joke; the joke-maker's indispensable ally, the reader to whom the joke is told; and the object of the joke, the person at whose expense pleasure is taken, and who may be absent—except when the joke is tendentious and hostile. Thus, the object of Kingsley's jokes—the Indian male adult—carries particular significance for understanding what knowledge the child in the text serves to repress (*Jokes* 80). The child, however, is split: while the child of authorial address is subject, however unevenly, to the text's interpellation, the child figured as his moral opposite, the street boy, is an exemplary object of the reader's moral dissection and social reform through spiritual or religious redemption.

In brief, *The Water-Babies* rescues an orphaned chimneysweep named Tom from an abusive master. When Tom takes a wrong turn in a labyrinth of chimneys he is meant to clean at a country manor house, he enters the bedroom of the squire's sleeping daughter Ellie. Awakening to find the grimy boy in her room, the startled girl alarms the household, which immediately presumes theft and gives chase across the moor. Until confronted by his opposite in the positive model of the ideal child, figured as the obedient daughter of the rural manor house, Tom had been unaware of his moral degeneracy. Following his encounter with Ellie, Tom sees his reflection in a creek and recognizes his outward dirt as a mark of inward pollution. The feverish boy falls into the creek and drowns, transforms into a water-baby, and begins a kind of pilgrim's progress through zoological devolution from child to embryo that leads the child to a spiritual maternal womb for moral cleansing and reformation. The water-baby's regenerative journey models for the English reader how the imperial mission of purifying heathen souls through Christian indoctrination might work both at home and abroad.

The Water-Babies inculcates the notion that not only the bourgeois reader but the reformed street child can assume the roles of imperial management that Kingsley more explicitly outlines in "Massacre of the Innocents" and "Great Cities," two speeches delivered to the newly formed Ladies Sanitation Association a few years prior to publishing *The Water-Babies*. According to Kingsley, this reformed class of boys would become the emigrant commercial-class, future shopkeepers and merchant princes who would go out and populate the Empire. As the “lifeblood” of the Empire’s dwindling stock, such boys would “conquer new-found lands by arts . . . and beget new nations; . . . [and] replenish and subdue the earth from pole to pole.” Thus, for Kingsley, their “right education is a matter of national importance” (“Great Cities and their Influence for Good and Evil” 213).

Set in place to repair the ideological rift incited by the mid-century creation-evolution debate, the pauper child in Kingsley’s tale begins as a figure of trauma. Paradoxically, Kingsley’s attempt to naturalize embryonic and spiritual development into a single unifying metaphor turns the question of origins into a Christian discourse of death and rebirth. Although the water-baby is both a religious figure, the omnipresent Herod-like victim of infanticide finding its way into every form of mid-century print culture, and a scientific specimen of embryological autopsy, the figure carries much more than a two-fold cultural capital, for, as Rosemary Hennessy insists, “contradiction is always *overdetermined*” (29). Kingsley’s loosely woven narrative makes visible the traces of a whole catalogue of mid-Victorian national and imperial concerns, including child abuse, educational and sanitation reforms, Darwinian evolution, French communism, and imperial expansion—all peppered with Kingsley’s brand of muscular Christianity.

The Water-Babies illustrates Raymond Williams’ insight that cultural change involves the overlapping of one logic upon another, resulting in the simultaneous encoding of emergent, residual, and dominant cultural features in the overlap.[142] To mend the creation-evolution divide, Kingsley's text collapses the older feudal system of social organization with the re-formed values of self-help and self-governance, but this attempt at consolidating different value systems requires a racialized logic. The text sutures the divide between the nation's rich and poor child by introducing an imperial scapegoat, displacing the problem of social inequity into the Empire as a matter of degenerate culture elsewhere. Kingsley constructs a degenerate "other," a caricaturized Indian adult, in opposition to the ideal moral type and model tutelary figures figured as the paternalistic rural gentry: in a "sound-headed, sound-hearted" squire, who is "just the man to keep the countryside in order"; his obedient young daughter, who is made a model tutor-in-training; and a motherly Queen-like fairy, who embodies the imperial inclination to erect monuments.

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[142] Neither the class system nor child labour nor “good old English law” is challenged in *The Water-Babies* (63). Kingsley sentimentalizes the older cottage industry of lace making, of necessity, a relatively “clean” industry, for the whiter the lace produced, the more valuable it was. The primary purpose of these day schools was not to educate children but to oversee the production of the “marketable product” of lace (Charles Freeman 18-19). In this romanticized image, Kingsley does not stage the conditions of the lace industry reported by the Children’s Employment Commission of 1862—the long hours, overcrowding, lack of

Signaling the insecurity of such cultural monumentalization, however, the adjectives "black" and "white" secure identity by splitting and racializing it. Mother Carey is too insistently a "white marble lady, sitting on a white marble throne" massively ruling over a vast undersea empire (23). Ellie's whiteness is also symptomatically excessive. Her white cheeks, which are "almost as white as the pillow" upon which she lies, reinforce the habit of elegizing the British "race" that crops up in both Mary Martha Sherwood and Matthew Arnold. In sharp contrast, Tom is "a lurid, ugly, grinning "little black ape" with no "big

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ventilation, bad lighting, harsh discipline, and "often unsanitary" conditions of this exacting work particularly harmful to children (Buck 90; Bullock 65; Marx *Capital 1* 596-98). Ironically, at the same time as he lauds the dame's school, Kingsley metaphorically romanticizes the industrialization of the lace industry that put an end to the cottage industry:

> Then he came to a very quiet place, called Leaveheavenalone. And there the sun was drawing water out of the sea to make steam-threads, and the wind was twisting them up to make cloud-patterns, till they had worked between them the loveliest wedding veil of Chantilly lace, and hung it up in their own Crystal Palace for any one to buy who could afford it; while the good old sea never grudged, for she knew they would pay her back honestly. So the sun span, and the wind wove, and all went well with the great steam-loom (*W-B* 339).

father gorilla . . . to take his part" to nurture or tutor him. The criminal-as-ape symbolically moves the child from the metropolitan street and projects him onto a wider imperial canvas where he signifies "racial degeneration." The imperial discourse of the human-simian, Anne McClintock notes, marks the limit text of civilized values: the co-optation of nature, as an alibi for criminalizing the pauper child, marks Kingsley's desire to bring its opposite, culture, to the dehumanized child. Thus the nineteenth-century paternalists recognized culture to be a primary stake in achieving consensual power (216).

The textual excess of colour too insistently attempting to secure racial difference in the very heart of the British Empire suggests the emergence of the long lament for a dying Empire. The unrelenting "whiteness" of the idealized figures marks the uncertainty of a terrified self-consciousness, for, as Suleri states, figuring "a racial body" marks an "absence of cultural and social indexes, those codes that mitigate the physicality of human presence" (162). This monumentalization of culture's absence marks *The Water-Babies*' insecurity, at the beginning of the golden age of literature for children, in taking culture to the child. This uncertainty erupts self-consciously in the joking forms of parody and caricature at the Indian labourer's expense. Ironically, such acts of transgression as releasing the child reader's inhibition through sharing "childish" joking-delights places Kingsley on the outskirts of Arnoldian excellence, for, above all, elevated culture valorizes "mature" ideas. With such racialized caricatures as a jolly fly, a grinning ape, and a screechy Hindu tailor, Kingsley guiltily contravenes adult conventions for nationalizing a culture of "best . . . thought in the world" ("Function" 48, 50). However, peddling a politics of self-governance based on correcting a degenerate moral decorum, the *Water-Babies* tropes those values and practices encapsulated as a "jolly" disposition that provide utilitarianism its *raison d'être*.[143]

From a conservative standpoint, self-help and self-governance precede (their lack defers) any claim to civil rights in the present. Kingsley's single reference to rights comes in a cryptic form, framed uncertainly as a double hypothesis and further destabilized by a mantle of vernacular obscurity. Dialect, Freud claims, produces a similar effect to joke techniques (*Jokes* 101, 153). The reader obscurely apprehends some future claim to rights in the context of bestial identity in the phrase "[a]nd if you grow up to be a brave healthy man, you may know some day what no slot means, and know too, I hope, what a slot does mean . . . and what his rights [the animal's] mean, if he has them" (*W-B* 69).[144] Given that historically, as I argue, the discourse of infanticide is inextricably linked to the discourse of rights, in a narrative advancing on the trope of infanticide, this offhand dismissal of rights appears as radical denial of children's material welfare, which underwrites the logic that ascribes to children a negative surplus value.[145] A national liability could then be exported duty-free as an imperial asset. The boy-reader as the subject of tutelage must learn whether or not he will have rights in order to claim them at some future point, and his claim to rights rests on how well he learns the moral-cultural lessons of self-governance.

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[143] Alluding to Disraeli's "Young England," Kingsley assumes that jollity is a sign of an over-stimulated mind that, if not harnessed, directs a desire for enjoyment to the "lowest physical pleasures" ("Great Cities" 209).

[144] I would like to thank Terri Doughty, Margot K. Louis, and the Victoria Listserv for help in unpacking this phrase. The hunting terminology—"slot," an animal's trail or tracks, and "brow, bay, tray, and points," the prongs of a stag's antlers (see, for example, John Davidson's poem "The Runnable Stag")—suggest that the rights alluded to may have to do with hunting protocols, or rights, in which case, in the context of infanticide, the "joke" is even more elitist.

[145] In a period in which male labourers were fighting for suffrage and women had none, domestic animals acquired protection from abuse before children did.

As a Christian Socialist, Kingsley advocated for mutual tolerance among the social classes. Although many of his detractors accused him of wishing to return to feudalism or alternatively of promoting communism, others classified him as a revolutionary, stating that his ideas "emanat[ed] directly from the French Revolution of 1848" (*Quarterly* qtd. in Hawley 132). As literary critic John Hawley notes, however, Kingsley "never embraced full democracy, and he remained a preacher to, but not of, the masses" (135). Writing in the context of the expansion of male enfranchisemet, Kingsley is consumed rather with the need to inculcate middle-class values to gain control over the "criminal class" and convert useless degenerate into useful reformed manpower to strengthen the Empire. Like Arnold, Kingsley championed cultural inculcation as the prerequisite for accessing rights; and, as it did for Arnold, cultural tutelage preceded access to rights, authorizing a paternal tutelary relation of dependency.

A training manual for the English boy-adventurer, *The Water-Babies* tropes Tom's escape into the healthful countryside not only as a reverse of the rural flow of human flesh into urban centres, but as a symbolic test run for his future venturing into the Empire. Kingsley places the fledgling adventurer-boy at the top of a moor in rural England and presents him with a vantage point from which to imagine his visual command of "all 'the world' he can see before him [which] lay spread out like a map" (46). The imperial machine needed boys for Empire, not only for the future, to conduct trade and to oversee its governance, but also as the immediate raw material of populating dwindling white stocks. *The Water-Babies* is thus invested in converting the survivor of infanticide, the child as risk, into an exportable material commodity figured as the reformed juvenile delinquent for the commercial enterprise of empire-building.

Chimney Pot Panoptics

Two years prior to the publication of *The Water-Babies*, *The Times* reported the findings of an unusually detailed statistical report put out by the Registrar General:

> In the last five years within the metropolitan district alone, at least 278 infants were murdered; above 60 were found dead in the Thames or the canals or ponds about London and many more than 100, at all events were found dead under railway arches, on doorsteps, in dustholes, cellars and the like. (Rose 38)

Other estimates of child murder in the metropolitan ranged from a sensational twelve hundred a year to coroner Thomas Wakley's more moderate three hundred, "based on the assumption that for every body found there was at least one undiscovered" (qtd. in Lionel Rose 38). Social panic increased in proportion to the flood of medical officers' and coroners' reports finding their way into popular print. By 1862, even the government Blue Books, which *Blackwood's* termed "children of the State," which usually arrived "stillborn" into the public arena, were contributing to a new social consciousness that galvanized the nascent movement for infant life protection in Britain ("The Poor and Their Public Schools: The New Minute" 77).

Kingsley contributed to this moral panic, and his use of the water-baby as a metaphor to contain issues of social reform predates his classic novel for children. In 1859, for example, in his "Massacre of the Innocents" speech, he suggested that saving English children *en masse* would dangerously change the nature of the state. If the political economists had it right, then over-population was a problem they would have to consider, he cautioned these new middle-class philanthropists, insisting: "When you have saved your children alive, then you must settle what to do with them" (262). Concern for actual "water-babies" found daily in metropolitan waterways underpins Kingsley's tale of a child labourer's moral cleansing. Lest its message be dismissed as so much childish fantasy, however, *The Water-Babies* more explicitly indexes child murder in the form of direct challenge:

> [T]hey say that no one has ever yet seen a water-baby. For my part, I believe that the naturalists get dozens of them when they are out dredging; but they say nothing about them, and throw them overboard again, for fear of spoiling their theories. (*W-B* 178)

The novel excessively reinforces the point, cataloguing a whole raft of mid-century crimes against pauper children (Suleri 49):

> [T]here were the water-babies in thousands, more than Tom, or you either, could count.—All the little children whom the good fairies take to, because their cruel mothers and fathers will not; all who are untaught and brought up heathens, and all who come to grief by ill-usage or ignorance or neglect; all the little children who are overlaid, or given gin when they are young, or are let to drink out of hot kettles, or to fall into the fire; all the little children in alleys and courts, and tumble-down cottages, who die by fever, and cholera, and measles, and scarlatina, and nasty complaints which no one has any business to have, and which no one will have some day, when folks have common sense; and all the little children who have been killed by cruel masters and wicked soldiers; they were all there, except, of course, the babes of Bethlehem who were killed by wicked King Herod; for they were taken straight to heaven long ago, as everybody knows, and we call them the Holy Innocents. (*W-B* 211-12)

In the symptomatic excess of this catalogue primarily of parental crime, *The Water-Babies* consolidates the bourgeois ideal of familial protection, displacing the problem of distributive justice into the metaphor of child murder and identifying the labouring and pauper classes as the agent of infanticide, thereby relieving duty-free trader of any socio-fiscal responsibility. If the primary agent of this massacre of innocents could be identified as the pauper parent, the state could not be held responsible for children "at risk," who could then be removed from the deviant family with impunity and fostered out in newly formed national and imperial "families" (Ritter 7).[146]

The first "statutory distinction between children and adults" occurred during the mid-century period of child-saving which is rooted in the 1830's prison reform movement. Re-forming the child—from a knowing, fully responsible agent to a dependent in need of protection—moved the responsibility for making decisions about children from the derelict parent to the state, which could now act in *loco parentis*, in the place of the parent (May 14, 21, 28).[147] The ensuing debate turned in part on the question of rights. Opponents of penal reform for children argued, for instance, that segregating the child from the adult "would deprive the child of the rights of all free-born Englishmen to trial by jury—an unwarrantable interference with the liberty of the *individual*," but this argument reveals the self-interest of the adult who overlooks the child's special needs of protection (May 14, my emphasis). The debate marks a basic struggle between adult and child and the emergence of children's rights to protection that had begun to be articulated, as Harriet Tytler recognized in her autobiography, in the US. However, child rights were not on Kingsley's agenda and, like Arnold, he makes education a prerequisite to having them.

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[146] The rhetoric of juvenile delinquency linked the different practices underpinning the industrial school and the juvenile reformatory that treated children at risk or as risk (Mahood and Littlewood 552).

[147] By 1908, with the passing of the Children and Young Persons Act (the Children's Act), the British government officially marked its social investment in the well-being of children. This act was the result of a number of intersecting agendas, including the falling birth rate and the physical deterioration of the poor, the devastating effects of industrialization on urban centres and agriculture. Constructing the child as a national asset for the future, the Children's Act placed children under state protection thereby changing the relationship between the family and state. Children who broke the law were now dealt with in a separate juvenile justice system, and parents were now held accountable for child abuse and neglect.

To ameliorate the problem of the epidemic numbers of surplus children, Kingsley prescribed to the sanitation philanthropists an antidote for ridding the urban heart of the Empire. Treating pauper children as fully agential vehicles of vice, the remedy had not much to do with his expressed interest in public works improvements, such as the provision of sewage, water, and housing:

> [L]ook at the map, and see that about four-fifths of the globe cannot be said as yet to be in anywise inhabited or cultivated, or in the state into which men could put it by a fair supply of population, and industry, and human intellect: then, perhaps, they may think with me that it is a duty, one of the noblest of duties, to help the increase of the English race as much as possible . . . . ("The Massacre of the Innocents" 259)

The opposing impulses between nurturing children to regenerate decaying urban centres and exporting them for imperial gain required splitting the child into ideal and degenerate figures.[148] Thus turning a national liability to imperial profit advanced on the exercise of repressive power couched as the liberation of pauper children.

In splitting the child, the object of social reform shifted from the unnatural mother, who could not be convicted with certainty due to the invisible nature of the crime, to the child devalued *as a social risk*, the highly visible street child figured as juvenile delinquent who could be incarcerated and exported with relative ease. This is a point I will return to in my next chapter, in which I discuss the historical reverberations of infanticide in the twenty-first century "baby overboard" debacle in Australia. With Australia's violation of political refugee's welfare rights, infanticide resurfaces in the context of the criminalization of refugee children. As Leonora Ritter, Associate Director for the Centre for Cultural Research into Risk, Charles Sturt University, notes, the notions of children at risk and children as risk, of child welfare and child control, were conjoined in Britain in the 1857 Industrial School Act. In other words, to develop national child welfare policies, the state needed to conjoin these cardinal figures to legitimate intervention. The child "at risk," the victim of infanticide, and the child "as risk," the delinquent perpetrator of crime, I will elaborate, continue to inform Australia's incarceration of refugee children in the present.[149]

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[148] For a fuller development of mid-Victorian psychological tensions "at the socio-political level, where the emergence of a middle-class consciousness had both a evolutionary and

With the passing of the New Poor Law, public perception that the relatively invisible act of infanticide was intensifying coincided with the growing visibility of child destitution.[150] As children of the poor increasingly populated city slums, explanations for the

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conservative dimension," see George Stocking's *Victorian Anthropology*, especially chapter six (231).

[149] "Once children were constructed as being at risk, intervention was justified as being in the interest of 'the safety of the country,' including extending the jurisdiction of the courts to include destitute, neglected or uncontrollable children. . . . Legislation for industrial schools brought neglected children within the legal definition of juvenile delinquency" and empowered Poor Law Guardians to place any pauper child in an industrial school, "effectively increasing the penalty to children for being vagrant" (Ritter 6).

[150] The New Poor Law provided for taking orphaned and abandoned children into the workhouses and industrial schools. Once the "disposable" adult population had been incorporated into the industrial labour market, however, factory recruiters turned to these institutions to "pluck" orphans and children of pauper parents before they were "ripe" to shore up the labour force. As Marx put it, the state stepped in only "here and there to interpose as a barrier to the transformation of children's blood into capital" (*Capital 1* 379-80, 382).

social divide between rich and poor expanded to include geographical space. Drawing analogies between the pauper child and the racialized savage provided a logic that allowed journalists and social investigators to distance themselves from local conditions. At the same time as social investigators like Henry Mayhew were "frightening" readers with grim accounts of slum life, overseas missionaries like a Joseph Mullens in *London and Calcutta* (1869) continued to reinforce the environmental link between urban slum and imperial missionary ground (Hawley 132):[151]

> There are slums in London, known only to city missionaries and the men who work with them, in which violence and vice abound to a degree which cannot be told. But the slums of heathenism go a long way lower. They reach the very horrors of immorality. (Mullens qtd. in Marriott)

The interchangeable categories of "child" and "savage" were confused even more by "scientific" debates over whether heredity (nature) or environment (nurture) forged behaviour. This crisis was managed by displacing social savagery onto the scapegoated survivor and imposing the label "delinquent."

In the debate over the degree to which humans are shaped by inherited human characteristics (nature) or social influences (nurture), *The Water-Babies* falls on the side of nurture and displaces the problem of nonconforming nature onto the delinquent other. This logic supports committing infanticide-parricide on an unredeemable racialized adult-other who was both infantilized and criminalized. Making the environment the source of moral degeneration, Kingsley valorizes the maternal role in shaping human character through religious-cultural tutelage (his female figures are all motherly nurturers). For Kingsley, not only the heat of tropical climates, but also the slums of industrial urban centres bred crime. In this logic, if the environment contributed to both social and moral poverty, cleansing the pestilential urban street ideologically prepared the ground for cleansing the pestilential imperial colony of its savage populace (35, 206). But Kingsley's logic falls in with a Peggs in India: while the nation's child could be "tuteled" into towing the paternal line and reformed as a cultural emissary, the infantilized cultural deviant reduced to corporal body required different, life-threatening reforming measures.

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[151] See historian John Marriott for earlier examples, circulated in tracts, articles, and books by evangelical and "urban" explorers, that link urban decay to the Empire.

The mid-century disciplines of scientific and social investigation placed both savage and child on the low rungs of an environmentally inflected evolutionary ladder, making the street child a savage and the savage a child (Hawley 132). Both figures lacked the fraternal qualities of self-discipline, self-denial, and self-government, and both could be conceived as moral deviants in need of civilizing. Both required a strong restraining hand. Reliant on the state of visibility offered by life on the streets, the disciplines of social investigation and criminal anthropology, for example, provided a "powerful argument for racism and imperialism at the height of European colonial expansion" (Gould 223, 226). But "[a]s the metaphors of dirt and degeneration took hold," the highly visible children filling urban streets in the very heart of the Empire could not be thought of separately from the hardened adult criminal (Marriot).[152] If the criminal was not simply deranged or diseased but was an atavistic throwback to a previous evolutionary stage, the child and the stationary savage who retained "apish traits . . . could be regarded as essentially criminal."[153]

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[152] Despite the changing attitude of the state toward underprivileged children, Victorians held this view well into the 1880s.

Held to be the "nurseries of felons," the streets produced behaviour that contradicted middle-class standards of morality. The mobs of pauper children living an animal-like existence on the streets were held to be contaminated, recalcitrant, unrestrained, and ungovernable, and "strong contrasts were drawn between this child and the unsullied, malleable, obedient, cloistered middle-class child" figures like *The Water-Babies*' Ellie. Separated from the idealized bourgeois child, the street child could be objectified as a non-child and marketed as cheap labour for colonial expansion.[154] Following the abolition of transportation of criminals in the 1850s, public fear mounted against the "new wave of immigration" of children from rural districts now "preying" on middle-class society (May 19, 24; Marriott). The reformation of pauper children as fit material for empire-building filled in where the transportation of adult moral offenders left off, providing, one supporter of child export insisted as late as 1930, "a counterbalancing influence . . . against the modern rush cityward" (Bready 217). To legitimate the enterprise of saving surplus children for populating imperial peripheries, Kingsley makes palatable, in playful fairy-tale form, the goal he proposed earlier to the reforming child-savers: to export surplus children to the imperial wastelands.

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[153] As the highly influential Italian criminologist Cesare Lombroso insisted, for example, the child maintained the "saddest tendencies of the criminal man": laziness, cruelty, immorality, and lack of honesty (qtd. in Cunningham 130).

[154] As a Reverend John Batt uncritically claimed in 1904 of the Barnardo child-saving enterprise, which amounted to the exportation of hundreds of thousands of children into the white-settler colonies of the British Empire, the "embryo tramps and, possibly, criminals" inhabiting pestilential urban streets "constitute an increment of industrial wealth wherein are stored interminable possibilities of augmentation and national and Imperial advantage. . . . The question of turning a crying source of weakness in England into an invaluable factor of wealth in Canada [eventually also in Australia, New Zealand, South Africa, and Zimbabwe/Rhodesia] is one that is of imperial proportions and urgency" (54, 128-9).

Staging the (d)evolution of the pauper child's soul in nineteenth-century industrial England served to organize the problem of the soul's nature within a binary logic of racialized criminality: the soul could not evolve without its bestial measure. As the mid-century child split to control the animal-like half of the masses, the category of "juvenile delinquent" emerged to contain this deviance. As "criminals in embryo," the street-child survivors of infanticide could be swept up with moral impunity and removed by just such a moral mission as that troped in *The Water-Babies*.[155] Set next to the beasts of empire as the negative measure of middle-class identity, Tom must learn the utilitarian art of self-discipline through the recognition of difference (*W-B* 37, 66).

It is no coincidence that one of the first texts in the fantasy-fairy tale genre for children that continues today to hold a spot in the children's market, stages the transition from punitive law to disciplinary control through the reformation of young offenders. In the context of infanticide, the crisis of distribution was displaced as a matter of law.[156] In the age of penal reform for children, *The Water Babies* marks the shifting discursive limits in the displacement of the struggle for civil-political rights from the undetectable space of infanticide to the highly public space of juvenile delinquency. If the unnatural mother's act was committed in secrecy, the illegitimate product of that secrecy was too visibly identifiable by his or her proximity to adult degeneracy on the streets (Mahood and Littlewood 554). Social activists in the public health movement like Kingsley were horrified by the street child's familiarity with the criminal world, and believed that to safeguard their innocence, these criminals in embryo must be caught "before they crawl[ed] out of the cradle" (London 221). Consequently, many were shipped out to fill the empty cradles of the Australian labour pool.

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[155] Kingsley exemplifies the conviction held by, for instance, sexual psychologist Havelock Ellis that "the child is naturally, by his organization, nearer to the animal, to the savage, to the criminal, than the adult" (qtd. in Cunningham 131).

[156] For another example of the displacement of distributive justice into matters of penal control by way of a logic of infanticide, see social investigator Thomas Archer's *The Terrible Sights of London* (1870) in which Archer includes a chapter on water-babies in his tracing of the progression from foundling to hardened criminal.

As Jacqueline Rose observes, "wherever childhood purity, or the idea of a primitive culture, is being promoted in one type of discourse, the excluded term of the opposition will be operating somewhere very close at hand" (50). Thus accompanying *The Water-Babies*' motif of liberating the child through spiritual purification is an imperial model of adult incarceration and penal control. Bracketing the struggle of male enfranchisement, *The Water-Babies* tropes penal control within the nation along Benthamite utilitarian lines that supports a political agenda for cleaning up urban slums—"coaxing little children away from gutters," "turning women from the gin-shop," staying wife-beating, and "help[ing] those who will not help themselves"—that involved "simultaneously liberation and repression" (*W-B* 64; Stocking 231). At the same time *The Water-Babies* supports the cultural tutelage of deserving children, it promotes exporting pauper children, whether orphaned or simply born into the wrong sort of families. Further, it tropes a dual system of governance: one as a panoptic of power enforced by a national policing apparatus, the other as an imperial system of punitive repression illustrated in the exemplum of the silly gadfly (*W-B* 209). However, focus on the child's redemption in this novel displaces attention from the oppressive treatment of the Indian adult and makes it imaginatively palatable by caricaturizing a dehumanized figure.

The panoptic system of moral governance inculcates desirable values in the adult by making discipline a matter of both repression and consent through an enforced internalization of values. The scene of chimney pot incarceration in *The Water-Babies* demonstrates not only how the state acquires cultural hegemonic consent in this system but for what purpose. Here, the cruel master Grimes is punished for his physical abuse of his chimney sweep through incarceration in a chimney-pot that replicates a Benthamite "architectural figure" in which the inmates must "help themselves" to get out (*W-B* 346; Foucault *D&P* 200). The chimney walls, made of some soluble substance, magically disintegrate the moment the inmate repents his sins. His prison is a small theatre of individual self-containment in which "unmanned" mechanisms of surveillance, the cyclopean truncheons and an old "blunderbuss" pistol, symbolically embody the "spirit of justice." These instruments of the state act as policemen and porter to monitor the inmate's internalization of power, making the cruel Grimes "the principle of his own subjection" (*W-B* 347; Foucault *D&P* 203).

In his chimneypot, Grimes is a visible "object of information, never a subject in communication" (Foucault *D&P* 200). Chimney pot 345 is a numbered, supervised place of sequestered solitude, watched over by an all-seeing, all-knowing supervisor, the monumental Mother Carey, who in this arrangement of power is both visible and invisible, at will. The prison is a place in which "the inmates . . . [are] caught up in a power situation of which they are themselves the bearers," for the moment Grimes confesses his sins, he is released and transported into the Empire to learn the missionary business of moral rescue (Foucault "Structures" 108). The lessons learned "from the consequences of our own actions," *The Water-Babies* tells the boy reader, become the instruments of producing the reformed and reforming servant of Empire (*W-B* 351-3). As a physics of power, the panopticon is at once a site of moral and legal control. Notably, the workings of the natural undersea domain of maternal tutelage, is not only a disciplinary site for normalizing values, but reliant on the same reforming logic that informs the concrete institution of the prison. In such as system, the institutions of family and nation work in concert for the same imperial ends. But this system is exclusive, and while national figures are redeemable, the appearance of the Hindoo tailor in *The Water-Babies* indexes another history of the colonial working out of governance.

In contradistinction from a self-disciplinary physics of power is "the exercise of sovereign power" (Foucault *D&P* 208). Tired of comporting himself in a "quiet and neat and respectable" manner, the "silly" tailor declares: "I've done quite enough business, I consider, in the last week, to last me my life. So I shall put on a ball dress, and go out and be a smart man, and see the gay world, and have a dance or two. Why shouldn't one be jolly if one can?" His jollity puts the Hindu adult on a path similar to the street boy Tom's, but not quite. The tailor metamorphoses into a morally shameless, shallow-hearted fly, tumbles into the water, and floats away: an imperial water-baby without the tutelary intervention that is an integral, modifying part of the disciplinary formula for good governance. The double parricide-infanticide in India is thus the spectre haunting the fairy tale produced for the Empire's future governors: on the symbolic level, if the pauper child can be "drowned" to regenerate the national spirit, so the deviant adult "other" can be exterminated to pave the way for normalizing imperial values.[157] Where the child can be moulded into shape, the adult must be exterminated.

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[157] There is a relation between labour laws for children in the developed world and exploited adult labour elsewhere: as laws to protect children take hold in the North, capital, we know, simply moves to new fields of exploitable means of production.

Narrow nationalism arrogantly conceives that the moral-juridical panoptic mechanism will not work for cultural outsiders, those happy-go-lucky individuals who lack a desire for self-control and self-discipline: "when folks are in that humour, [the narrator insists,] I cannot teach them, save by the good old birch-rod." The abolitionist moral, posed in the question "Am I my brother's keeper," is the lesson Tom, unlike the flighty gnats in the next exemplum, "who did not care the least for their poor brothers' death," must answer (*W-B* 255). However, Kingsley's answer—only if he will help himself—exposes a self-righteous moral justification for differentiating penal control inside and outside the nation-state: one technology of power for self, another for the non-conforming "other."

I turn in my next chapter to the twenty-first century, to the former Australian colony of the British Empire, to note the symptomatic return of infanticide in a national theatre of human rights violations in an ongoing event remarkably labelled "baby overboard." Along with the trope of infanticide, many of the imperial ideas I have been working with in this study re-emerge in the context of the abuse of power. The emergence of the doubled parricide-infanticide in what has become an international scandal strikingly marks a developed state's violation of children's rights and its disinterest in guaranteeing the rights of a minority group of adults not only labelled "illegitimate," but the perpetrators of child murder. In this context, although the category of "illegitimacy" shifts from a cultural to a political focus, it bears all the traces of the nineteenth-century imperial rhetoric of infanticide.

I read this national event in some detail before turning to well-known contemporary writer Morris Gleitzman, who, as an act of political intervention, translates the media event into realist fiction for children. Lamenting the deteriorating state of postmodern literature for adults, nostalgic adults like Isaac Bashevis [illegible] the conservatism of its realism. Boldly d[illegible] can assume in children's literature, Gleit[illegible] postcolonial critic Simon During calls a "that civil imaginary," Gleitzman abandons the writer's self-imposed role as guardian of children's innocence and chooses instead to bear witness to the social and political events affecting their lives and their communities (Jackson in Townsend 11; During 144).

[illegible]

A refugee is a kneeling person: kneeling in front of the captain of a ship to ask for a reduction in his escape price; kneeling to pirates to ask for mercy; kneeling in front of an international organization to ask for its help; kneeling in front of the police to ask for permission to go to the market; kneeling in front of a foreign delegation to ask to be accepted in their country. (Wazefadost)[158]

I am sitting here waiting for sunrise, my screams do not reach anyone. It feels as if I am screaming underwater. (Anhar qtd. in Moore 187)[159]

Wherever you look, you see the dead children like birds floating on the water.
(Ahmed Hussein)[160]

On August 25, 2001, Australian authorities alerted a Norwegian freighter, the *MV Tampa*, that an Indonesian ferry laden with passengers was sinking off Australia's Christmas Island. After rescuing 438 asylum seekers, the *Tampa* put in a medical distress call that the Australian government ignored as it wrangled with Indonesia and Norway over whose

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[158] [illegible] Australian Government to free the children in Australian detention camps and to grant all refugees permanent visas.

[159] Hannah Moore, a sixteen-year-old Australian student, advocates with and for refugees through her visual art and writing. Anhar is a young Iranian refugee whose story Moore narrates.

[160] Ahmed Hussein, who is now perhaps in Indonesia, is a survivor of the SIEV X tragedy, named by at least one critic the "Titanic of the Poor." On October 19th, 2002, the SIEV X (Suspected Illegal Entry Vessel Unknown), a "grossly" overloaded vessel, sank after Australia dragged it into Indonesian waters. Three hundred and fifty three passengers, including nearly one hundred and fifty children, drowned. Retired Australian diplomat Tony Kevin challenged: "did the government participate in the sinking and knowingly allow over 350 asylum seekers to drown in order to send a "powerful deterrent message to people smugglers and passengers alike"? ("A Disturbing Hypothesis"). Leaving room for doubt, the Senate Inquiry summarized:

> While there were reasonable grounds to explain the Australian response to SIEV X, the Committee finds it extraordinary that a major human disaster could occur in the vicinity of a theatre of intensive Australian operations, and remain undetected until three days after the event, without any concern being raised within intelligence and decision making circles. (Senate Committee "Executive Summary" xiii)

The question of Australia's culpability has not been resolved.

[illegible] passengers lay unconscious from heat exhaustion, officials refused both the Australian Red Cross and Médecins san Frontières permission to send medical teams to their rescue.

The *Tampa* refugees were then sent on "an odyssey of fear and uncertainty" while Australia prepared to shift rather than shoulder its international "burden" of responsibility for assisting refugees (Amnesty International, hereafter, AI; *Senate Select Committee on a Certain Maritime Incident*, hereafter *A Certain Incident*).[161] While New Zealand immediately accepted 131 asylum seekers (and later another 194), Australian officials sent the majority of the *Tampa* passengers to hastily constructed detention camps in two small "host" countries, the Republic of Nauru and Papua New Guinea.[162] Amongst the nearly two [illegible] Amnesty International declared degrading and inhuman.[163] The Australian government initially denied

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[161] Shirking its own humanitarian responsibility, the Australian government asked various other countries, including East Timor, to accept the asylum seekers "on humanitarian grounds."

[162] The conditions of these camps run by private for-profit companies, part of the "global punishment industry" with no public accountability, are appalling. In hot, humid, equatorial conditions, the drinking water, power, and fresh food are inadequate and the Australian government denied the detainees proper medical attention. High wire fences surround the camps, and the asylum seekers are under continual surveillance.

[163] "Critics of the arrangement have contended that Australia is using its economic power to export its problems to its poorer neighbours, imposing significant pressures on already limited natural resources and undermining regional aid objectives of good governance and sustainable development" (Select Committee "Executive Summary" xliv). The imprisoned children experienced behavioural and psychological trauma and stress, including wrist slashing, head banging, rioting, suicide, hunger strikes, and lip sewing.

[illegible]

[illegible]

[illegible] not to speak to detainees, and media coverage was "highly controlled" (Anti-Discrimination Board, hereafter ADB 46).[164]

By its treatment of the primarily Afghan and Iraqi refugees labeled "illegals," "queue jumpers," "law breakers," and, harking back to the eighteenth-century rhetoric connoting human waste, "rejectees" and "refusees," Australia violated the asylum seekers' fundamental human rights set out in such documents as the *Universal Declaration of Human Rights*, the UN High Commissioner for Refugee guidelines, the International Covenant on Civil and Political Rights, the Convention Against Torture, the Australian Family Reform Act (1995), and almost every article of the *Convention on the Rights of the Child*, which legislates making the "best interests of the child" [illegible] [illegible] [illegible].[165] [illegible] of [illegible] as the [illegible] of Australian "[illegible]" and racism was recruited for national service.[166]

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[164] Despite that they were denied access to the detainees, the majority of mainstream media coverage uncritically reproduced the government propaganda. The private companies running the camps have no public accountability as they are protected by commercial confidentiality, legislation, and policing (ADB 53).

[165] See, for example, Articles 27, 28, 31, 34, and 39. Article 37, as just one instance, prohibits the detention of children except as a last resort and for the shortest duration possible. To follow the "letter" of the law, the government changed the language from "security" to "safety" officers and from "detention" to "accommodation," which prompts Amnesty to accuse the Australian government of "a reprehensible disregard for the object and purpose of international human rights standards" (Amnesty International, hereafter AI). Significantly, for my next section, the Immigration Minister claimed the Refugee Convention was an "enabling tool of organized crime" (AI). Ruddock's successor Amanda Vanstone continues the duplicity claiming, "there are no refugees in Australian detention centres" (Devine).

[166] See, for example, [illegible] the ABC [illegible].

The then Minister of Defence, Peter Reith declared that the refugees' "blackmail" was "moral intimidation," and the government refused to "be held hostage to [its] own decency" (Barkham; Leach 29). Drawing from its longstanding practice of criminalizing non-European immigrants, the government displaced attention from this violation of national and international human rights law onto the political refugees seeking safe haven who were then coded as criminals. In his official position on the government's handling of the *Tampa* incident, the Immigration Minister Phillip Ruddock referred to the Refugees Convention as an "enabling tool of organized crime" ("Australian Government Position on the *MV Tampa* Refugees"). According to Ruddock, for example, the asylum seekers were plainly "'thieves' who 'steal' places from *genuine* refugees" (Leach 30, my emphasis). A campaign of vilification bent on undermining the international legal status of "refugee" pitted the refugee-as-criminal against a child-loving Australian nation figured as "a warm-hearted, decent international citizen" (ADB 46). If, as Michael Ignatieff formulates it, "[h]uman rights has gone global by going local," Australia practices just the opposite, claiming political legitimacy by advocating for human rights elsewhere while violating them at home ("Human Rights as Politics" 7).

To quell the "'surge' in possible arrivals" of refugees, via what the Senate Inquiry later labeled the people smuggling "pipeline," key government officials vowed that the *Tampa* refugees would not set foot on Australian soil. As the Senate Inquiry put it, the government made a "metaphor" of the *Tampa* and changed its refugee policy in order to implement what it called "The Pacific Solution" (*Select Committee* "Executive Inquiry" xliii, xli). Determined to shut down its borders for ease of surveillance, to the point of reconfiguring them, Australia added drastic punitive measures to the already existing practice of automatic detention of asylum seekers, including "families with babies" and orphaned children (Amnesty International, hereafter AI).[167] Escalating its "clamp down" on "alien" entry, the government also passed new laws preventing Australian courts from hearing challenges to its refugee policy and instructing warships to shoot at illegal entry boats bearing refugees (ADB 50).[168] As Ignatieff points out, an attack by the state on the independence of the judicial system is an attack on constitutionalism itself ("Politics" 33).

Then, on October 7th, 2001, during the first week of a national election campaign run on an anti-refugee platform, without waiting for naval intelligence confirmation, the Immigration Minister hastily called a press conference to announce that a number of children had been thrown overboard a fishing boat, the SIEV 4, illegally freighting asylum seekers into the country. This act of "baby throwing" was "planned and premeditated," the minister creatively embellished. For supporting evidence, he observed illogically that "[p]eople wouldn't have come wearing life jackets unless they intended some action of this sort" (ADB 47). The reason the minister gave for the imperiling of children's lives: the asylum seekers onboard were attempting to blackmail the Australian navy into picking them up from the sea and bringing them to the Australian shore.

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[167] To put these hostile measures into stark perspective: Australia's annual intake of asylum seekers is small in comparison with most European countries. Germany, for example, receives 70,000 and the UK 40,000 annually while Australia averages roughly one thousand per year (AI). Pumped with inflated numbers and the anti-immigration rhetoric of "waves" and "floods" of invasions, a majority of the Australian populace—enough to reelect the current government—was manipulated into an attitude of resentment towards asylum seekers. The government was so bent on protecting its borders that it narrowed them. CBC reporter Brenda Murray put it this way: "In case you missed it, Australia has shrunk. Last Friday, without any debate or discussion, the government reconfigured the country's borders. . . . This is the federal government's latest move to discourage would-be refugees" ("None is Too Many").

Part of Australia's "Pacific Solution" refugee policy had been to interrupt the usual chain of naval command for reporting such incidents by reporting directly to a government avid for any information it could use for political gain. As the navy fired over twenty rounds of warning shots over the bow of the rickety vessel, a few terrorized asylum seekers jumped into the water, and in the heat of an ongoing rescue operation the naval commander reported that a man was "preparing to throw a child overboard."[169] Somehow in the chain of linguistic command, "a child" slipped into "several children" and conjecture transformed itself into "event" (Jackson; Leach 26). Further slippage occurred in the populist rhetoric that circulated afterward as "children" overboard became "baby" and then "babies" overboard, while, in indignant counter-rhetoric, their parents became, for rhetorical affect, "baby killers."[170] Thus, the specter of "infanticide" arose from the ashes of a nineteenth-century imperial history to signal a radical denial of children's rights, in this instance by a coalition government in search of a legitimating certificate, a national baptism by military fire on "innocent" people.

Government and media rhetoric contributed to the nation's ensuing "moral panic," underpinned by a racism coded as cultural difference. A majority vote later conferred

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[168] This latter measure is a direct contravention of Article 37 of the *CRC*. As just one more example of the violation of children's rights, educational provisions were appallingly inadequate.

[169] One father held his child up to get her aboard an inflatable boat.

[170] See, for instance, the Internet discussion "Baby-Throwing Claim and Australian Strain of Racism," in which U Ne Oo suggests writing to the Prime Minister: "Ask him why he believes or has right to believe the story of Iraqi boatpeople throw their *babies overboard*"; Bob Burton's "Australia: Row Over Govt Claims on Asylum Seekers Deepens"; and "Australia Day 2003: Refugees Deliberately Ignored," in which Jack Smit questions how Australians sending troops to Iraq will treat the resulting refugees: "We in the refugee advocacy movement suspect we will vilify them, call them *baby killers*, turn them back to sea . . ." (my emphasis).

political legitimacy on the government's policy obtained over and against an illegitimate, criminalized "other," homogeneously labeled "Muslim" (ADB 47). In this instance of the violation of human rights, the global discourse of political asylum summons up the older rhetoric of the British imperial civilizing mission that encodes at once racialized, criminalized, and infantilized discrimination in an attempt to manage the problem of political asylum within an antagonistic us/them framework.

Senior government officials—particularly the Prime Minister, Minister for Defence, and Minister for Immigration—insisted on the truth of the "children overboard" story throughout the election campaign, despite the navy's repeated attempts to set the record straight.[171] At one point, Peter Reith insisted ironically: "The fact is the children were thrown into the water. We got that report within hours of that happening . . . . [W]e have *produced* the photos" (ADB 47, my emphasis; Wilkinson). The verb is accurate. According to Prime Minister John Howard, the "children overboard" story was "absolute fact." To support its claim, the government released photographs and video footage, but even after the facts surfaced—that the "evidence" had been manipulated—the government continued to assert its innocence, maintaining that even if they had not thrown their children overboard, the asylum seekers were the "sort" of people to do so.[172] Grasping at illogically connected straws for substantiation and begging the question of classification, the Prime Minister stated that "'[s]uch tactics have previously been used elsewhere,' for example, by people smugglers and Iraqi asylum seekers 'on boats intercepted by the Italian Navy'" (Howard in Jackson).

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[171] Almost immediately, the navy made repeated attempts, sending memos, personal voice messages, and official reports, to correct the false information. Both the Defence Minister's and the Prime Minister's offices chose not to correct the false flow of information.

[172] The Senate inquiry into the affair later declared in its report *A Certain Maritime Incident* that the "evidence" was false. Still shots of a child in the water, which had been taken out of context and the date removed, were shown repeatedly throughout the election campaign.

No children had been thrown overboard. Yet, the rhetoric of nineteenth-century colonial infanticide resurfaced along with a binary imperial taxonomy—us/them, civilized/uncivilized, good/evil, innocence/guilt, genuine/imposter, natural/unnatural, legal/illegal, etc.—as a reactionary attempt to consolidate a morally indefensible position. To advance the Pacific Solution as a reasonable, civilized course of action, the Prime Minister typecast the asylum seekers as "*the kinds* of people who would throw their 'babies' overboard," while the Foreign Minister Alexander Downer drew from the British imperial discourse of "civilizing" mission, stating: "[A]ny civilized people would never dream of treating their own children that way" (Reith in Walsh, my emphasis; Burton; Leach 28). The "peculiar evil" of the refugees "unworthy" of protection according to the now Christianized discourse was their willingness to violate a cardinal taboo: the sacrifice of children (Manne). A duplicitous Prime Minister stated: "The behaviour of a number of *these people*, particularly those involving throwing their children overboard, I mean, I can't imagine how a *genuine refugee* would ever do that.[173] I certainly don't want people of *that type* in Australia.[174] I really don't" (Kelly, my emphasis). The truncated declarative, in "the behaviour of a number of these people . . . ," trails off in the insecurity of the fragment. The act transformed into negative desire ("don't want") and the impulse to disavow ("can't imagine") marked a failure to efface the racist anchors embedded in the national social imaginary. Reified into a genuine/false polar opposition, the category of "refugee" split to narrow the legitimate object of state obligation. The ideological baggage accompanying infanticide in the nineteenth century, the failure of individual morals or more systemically cultural aberration, was displaced onto the political refugees, making them the illegitimate producers of water-babies, "dead children like birds floating." The government's attempt to dehumanize the refugees capitalized on the trope of child sacrifice as a radical act of inhumanity, for if the child is an innocent product of "nature," the parent who harms the child must be "unnatural" and, thus, inhuman. The rhetoric emerges straight out of the nineteenth-century movement for penal reform that interwove the discourses of infanticide, savagery, and delinquency.

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[173] Imagination played an important role in classification and vilification. The Prime Minister also put creativity to work when asked for the children's ages: "I don't have that detail. But I imagine the sorts of children who would be thrown would be those who could be readily lifted and tossed without objection from them. But I don't have that level of detail" (qtd. in Jackson).

[174] The Senate Committee stated that the Government had not only obstructed the investigation proceedings, but manipulated and falsified evidence. The grainy photos circulated to the media had been taken the day following the interception of the fishing boat, after the boat, which had been fired upon, had begun to sink and the navy had begun a rescue operation. The photos carefully omit showing the digitalized date, the sinking vessel, the naval rescue, and the hundreds of life-jacketed refugees desperately struggling to survive.

In his effort to prove a "campaign" of "systematic 'child abuse' and the exploitation of Australians' instinctive 'generosity,'" the Defence Minister cited several uncorroborated instances in which asylum-seekers ostensibly had thrown their children overboard, attempted to strangle a child, sank a boat leaving thirty-three children in the sea, and sent their children "solo into Australian waters so the Government would be forced to accept their families" (Manne; Leach 28). Although the nineteenth-century had "humanized" the penal system by separating imprisoned children from adults, this government still stinging from the recent stolen children scandal over the government's refusal to apologize for the forcible removal of aboriginal children from their families reversed that policy and insisted, in the name of the child, on keeping refugee families together. By so doing, it chose to contravene the "best interests of the child" principle in Australian Family Law and the *CRC* by holding children in detention unnecessarily for an extended length of time. When the children attempted to "voice" their trauma by sewing their lips together, the government denied them the agency of resistance, claiming that adult asylum seekers had forcibly sewn "their children's lips together." The government then seized upon lip sewing as proof of the refugees' inhumanity and cultural deviance. Howard challenged: "The children in proper positive care of their parents don't sew their lips together do they?" (Kelly; ABC News "Woomera Hunger Strike Continues as Talks Fail").[175] To the Immigration Minister's declaration that lip sewing was not part of "Australian culture," one Iraqi refugee who had recently been released from detention responded:

> Someone asked me, is it common in your country to sew up your lips? I told them it's not common anywhere. It's the desperate action of people who have had no response from the immigration department or detention guards to their requests for information about their cases. (Ziyad in Stephen)

The state's answer was to displace attention not only from conditions in the camps contributing to such acts of desperation, but from the policy of mandatory detention itself onto the criminalized refugee as child-killer in order to legitimate heavy surveillance accompanied, ironically, by threats to forcibly remove children from their parents (Stephen): according to the government, children are detained in the first place to avoid breaking up refugee families. The threat rehearsed the government's forcible removal of generations of Aboriginal children from their families, the stolen generations, as a counter against internal resistance to "white" supremacy. Thus, Australia turned the intent of the *Convention on the Rights of the Child* on its head. In the guise of "keeping families together," it disregarded the legal injunction that the "detention or imprisonment of a child . . . shall be used only as a measure of last resort" and enforced instead the automatic detention of all asylum seekers, including children. And revealing its disingenuousness, in an attempt to check revolt, it then threatened to separate families.

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[175] The children's lips in fact had been sewn—by children as young as twelve years themselves. The *UN CRC* defines "the child" as eighteen years of age and younger.

Australia thus carries its racist past forward in the discourse of what constitutes the internal and external "other." As in nineteenth-century British-Indian imperial relations, the root of the "other's" unnatural parenting was identified as cultural difference.[176] Although the Anti-Discrimination Board of New South Wales notes that "cultural difference replaces biological difference" in the government's racist rhetoric, this displacement emerges from an earlier imperial understanding of racial aberration (45). In the age of rampant economic globalization, this form of racism draws notably from the discourse of class, or nobility, prevalent at the time of Australia's fragmentation.[177] Thus with the return of nineteenth-century colonial rhetoric, the spectre of Burke's parricide-infanticide haunts the discourse of Australian detention.

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[176] Other forms of racism are at play, of course. Ruddock, for example, resurrected the oppressive colonial practice of denying identity on the premise that one brown man looks the same as any other, claiming that three hundred Afghans weren't really Afghans but Pakistanis "practicing how to pretend to be Afghans" (Ellis). For a good overview of Australia's fraught history of racism see chapter two of the Anti-Discrimination Board of New South Wales's *Race for the Headlines* in which the Board notes: "The construction of the 'other' throughout Australian history has been marked by the ways that racial and ethnic minority communities have been dehumanized and criminalized" (17). Categorizing the other as criminal, or course, determines the action, incarceration.

[177] See George Stocking on the shift occurring in the 1830s and 40s, from conceiving race in a linguistic to an ethnological frame, during the peak period of the transportation of convicts to Australia (63). See also Ann Laura Stoler's claim that nationalist discourses drew on a wider politics of exclusion based on the relationship between visible characteristics and invisible properties (8). Stoler argues that Foucault identified a form of biological racism emergent in the late-nineteenth century to account for his analysis of a particular set of social practices (28).

The slippage between race and culture emerged in former Senator John Stone's opinion piece in *The Australian*, for example, in which Stone championed the colonial policy of assimilation that discriminated against Aboriginal Australians and contributed to the removal of Aboriginal children from their families: "Our immigration policy must be fundamentally rethought so that it is built around cultural assimilation," he insisted.[178] While the policy of multiculturalism,

> opened . . . doors to all and sundry irrespective of cultural background, [it] was not in the national interest. . . . Note that I have nowhere referred to race [except in this very statement and throughout this passage]. In that future debate, any reference to race should be immediately challenged; not race, but culture is the issue. So that there be no (honest) mistake, let me repeat that. Our future immigration policy should have nothing to do with immigrants' skin colour or ethnicity. It should have everything to do with whether those concerned are capable of assimilating into Australia's basically Judeo-Christian culture, and disposed to do so. Note, again, that reference, not to Australia's predominantly Judeo-Christian religions, but to the associated culture. . . . [A]ll cultures are not equal and it is ridiculous (and, since September 11th, much more obviously dangerous) to keep insisting that they are. The most sensitive aspect of that future debate will be our attitude towards further Muslim

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[178] The report on the stolen generations *Bringing Them Home* was received unsympathetically by the Howard government, which refused to extend an official apology to aboriginal Australians and denied restitution (Hunter).

> immigration—towards which, I must openly say, I have the gravest reservations . . . . (qtd. in ADB 44-5)[179]

Without reservation, the hyperbolic repetition ("let me repeat") and imperative command ("note that . . . note, again . . .") of this claim symptomatically mark the uncertainty of a racism masquerading as cultural determinism. Racism in the guise of cultural tribalism—in other words, the politics of exclusion predicated on the homogenization of a diverse group of people on the basis of religion and pinned down by some notion of "immutable qualities"—underwrites the government's retrogressive campaign of "dehumanization and criminalization" of vulnerable people fleeing political persecution (ADB 45).

In a passionate indictment of Australian "hypocrisy" and "inhumanity," Suzanna Ling, in her prize-winning essay "Humanity Overboard," joined a long queue of concerned citizens and human rights activists—including artists, writers, educators, doctors, psychologists, social workers, lawyers, former political ministers, and Aboriginal, youth, medical, welfare, and church groups—in voicing their opposition. Ling challenged the government's oppressive policy, shamefully supported by a majority of Australians, of imprisoning "refugees in desert camps in which detainees—including traumatised children and youth"—resorted to the "drastic measures," includ[ing] a sixteen-day hunger strike, lip-sewing, and suicide attempts by hanging from bed sheets and ingesting shampoo," which Ruddock callously devalued as "inappropriate behaviour" (qtd. in Ling). Clearly, Ling stated, "the children's self-mutilation is a sign of profound desperation." When asked if he felt responsible for the damaged mental health of detainees, especially children, the Minister for Immigration diminished the slashings and hunger strikes by claiming that the problem was exaggerated and that Amnesty International was naive in its "failure to understand the *nature of the population* [his government [illegible]." While the international movement of refugees is unquestionably complex, the racist impulse in Ruddock's statements that resurrects the language of Lockean paternalism displaced the complexity of a politically produced situation onto an essentialized "nature" of a dehumanized "population."

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[179] September 11th was not a catalyst but an alibi for stepping up a racist regime of border protection. The rhetoric following 9/11 generally abetted the elision of asylum seeker with terrorist.

The Prime Minister stated he was "happy to support what [was] occurring." Unhappily, his apprehension of an inhuman people who offended "the natural instinct of protect[ing] . . . and delivering security and safety to . . . children"—measured against the "innocence," "generosity," "politeness," and "humanitarianism" of Australia-as-citizen—marks his government's moral and legal failure (Skeem and Head). By its refusal to secure the asylum-seeking children's safety and well-being, the government succeeded in casting its own behaviour as "unnatural" and "criminal" [illegible] Jackson).[181] Radically inverting the object [illegible] Minister set the nation against the refugee [illegible] stating that "the Government's decisive handling of the incident had *saved* Australia from a security and policy crisis and massive

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[180] In *Girl Underground*, one of Australia's most well-known writers for children Morris Gleitzman tropes the government's response as a relation of condescension between patriarch and child.

[181] A common criticism of child rights is that they impose a western concept of "family." To complicate this simplistic notion, I offer the following example of hypocrisy: Michael Leach, Research Fellow at the Institute for Citizenship and Globalisation at Deakin University in Melbourne points out that the vilification of the "unnatural" refugee family accompanied, as justification, Australia's new restrictions on family reunion. Making parents "unnatural" and thus "undeserving" of family status, the Government created an unprecedented category of a "temporary" refugee who was ineligible for family reunification. Family reunification was devalued and family intake drastically cut.

social disruption" (ADB 40, my emphasis). At the same time as the government, unwilling to assume the state's obligation to act *in loco parentis* on behalf of [illegible] children [illegible]

Zachary Steel, a clinical psychologist and leading Australian refugee advocate, asked why so many Australians, conceivers of the 1951 Refugee Convention and the first to sign the 1959 *Universal Declaration of Human Rights*, condone conditions not experienced by any other group of children recorded in modern medical literature (Reilly; Commonwealth of Australia). Comparing the situation of these children to that of victims of genocide, Steel castigated what he suggested is possibly Australia's most abusive administrative regime. Over the past ten years, he stated, Australian governments have cultivated "a culture of fear in the community—cultivating the idea that asylum seekers are dangerous and are a threat to the community. This is a standard ploy. It's exactly the ploy that the [illegible] against the [illegible] generous, [illegible] were so many Australians so willing to condone the lies of a manipulative group of politicians whose popularity had waned significantly in the polls? Why did so many Australians allow an irrational fear of being "swamped by *Asians*" to prevail? (Mackay, my emphasis)

Although September 11 provided a comfortable alibi for stirring up and supporting xenophobic fears, Australia's colonial history provides many more answers to the above questions. The thinly disguised racist rhetoric points to an older colonial fear expressed, for instance, at the arrival in 1938 of a shipload of British children exported as "supply" to fill the barren Western Australian labour pool. The Archbishop of Perth welcomed the influx of "stock" that would protect "white Australia" from the "yellow peril" of Chinese workers:

> [illegible] it is necessary to look for external sources of supply. And if we do not supply from our own stock we are leaving ourselves all the more exposed to the menace of the teeming millions of our neighbouring Asiatic races. (Humphreys, Preface)[182]

The preoccupation with children as "stocks" and "supplies" indexes the ideological linking of racial prejudice with economic concerns that erupted with the arrival of Asian migrant labourers at the end of the nineteenth century and again following the Vietnamese war in the early 1970s when unemployment in Australia was relatively high.

Political Scientist Louis Hartz's explanation of the process of *The Founding of New Societies* provides another answer. Hartz describes the founding of a nation in terms of fragmentation and stasis. When a part of society (in this case, early Australian colonists) [illegible] country, the "child" fragment carries with it the history of the whole at the moment of its breaking away and entrenches in traditionalism. As the fragment that became Australia transformed into a new nation, it constructed its own supporting mythology, which masked but failed to eradicate the old conservative ideology. In Australia, for instance, the legend of "the great Australian battler," [illegible][183] [illegible] of the colonizing fragment excludes all possibilities other than those it already contains, and the threat of cultural "contamination" incites panic.

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[182] At the end of the nineteenth century,

> [e]conomic fears and racial prejudice were by now inextricable, with each feeding the flames of the other's fire. So naturally did they go together that at the fourth Inter-Colonial Traces Union Congress in Adelaide in 1886 it was unanimously agreed that coolie immigration should be totally abolished 'because first, the competition of Asiatic against European labour is entirely unfair; second, it is well knows [sic] that the presence of Chinese in large numbers in any community has had a very bad moral tendency. (Hollinsworth qtd. in ABD 19)

Although it implements an escape from the past, it clings to that memory and shuts out the future. As a means of resisting its displacement in world events, the fragment closes itself off from expansion by turning itself into a nation and unfolding internally rather than expansively.[184] It takes the children of the next, or some successive, generation to expose the fragment to the larger world by rebelling against its conservative boundaries.[185] A residual element—in Raymond William's terms—of that self-incarcerated, islanded identity circulates today in the government rhetoric that pits the unprotected "battler" against the outsider-seeker of safe haven.

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[183] [illegible] at the exclusion of all others. Of course they insist that all Australians are "Battlers." If that is the case, why does our government claim to be protecting us from the very people I would consider to be real "battlers," the asylum seekers, the homeless, the addicts and the terminally unemployed. ([illegible])

[184] Internally, the British colonial fragment hardened against Aboriginal Australians forced to "assimilate" the national ethos (Rosecrance 300-1). Similarly, all new Australians were forced to assimilate to "white Australia," and laws were adopted to prohibit or severely reduce Asian immigration.[184] Exclusion was written into the statue books: at stake in the Immigration Policy was no less that "the whole Australian tradition" (302-3). Longing for the "protective-security" of an imaginary "homogeneous" British past, the fragment's lack of confidence erupted as fear (316).

[185] According to Rosecrance's optimistic reading, Australian "nationalism did not begin to take on external significance until the Second World War." The state continues to be "the nation's tool," he argued in the early 1960s; therefore, as a fundamentally ethical, rather than political, instrument, the state "cannot be employed as a conservative device" (296-7).

In the spirit of moral clarification, however, in the language of political intervention that any Australian schoolchild and his or her parent and teacher can understand, Morris Gleitzman, well-known writer for children, in his most recent political novels for children *Boy Overboard* and *Girl Underground*, counters media and new protectionist political rhetoric. Troping such intransigent authority figures as a school principal and a prime minister ineptly playing at gameboy-style "Alien Invaders," Gleitzman organizes these paired novels around the same two metaphors—infanticide and juvenile delinquency—that Charles Kingsley conjoined during the nineteenth-century period of penal reform that accompanied the general movement for developing child rights in nineteenth-century Britain (*Girl Underground* 138).

As Robert Hughes notes in his well-received history *The Fatal Shore*, issues of crime and revolution were conflated during the convict chapter of Australian state formation when the "outcasts of Mother England"—paupers, political prisoners, and genuine criminals transported indiscriminately for minor offenses as well as for penalties that lenient courts should have made harsher—were cast as inhuman and unnatural (Hughes 18; Rosecrance 280). Tyrannized in Britain by a generalized moral surveillance, the "mob" of thieves transported to the penal outpost contributed to the "legal tender" of a national ideology underpinned by an "ethos of guilt" (Hughes 2, 27). With the coming of the colonial-refugees from the British penal system, the Australian nation was thus "born" a gulag. Carrying this cultural memory forward, the rhetoric of resistance to national insularity today criticizes the former penal colony for housing a "gulag of . . . detention centres" (Brennan).

Symptomatically marking a return of the crisis of authority for the nation-state, Howard-government propaganda harkens back to the founding myths of violence legitimating the nation's birth to point to the problem for Australian sovereignty: who, in a penal colony that harbours the rough traces of a gulag past, can legitimately claim citizenship?

In a former British colony, the accusation of infanticide encoded in the children overboard debacle and imbricated with the discourses of race and delinquency does not come in a vacuum, but accompanies a history indexing the problem of Australia's founding state of illegitimacy. In the Australian context, the history of the crime of infanticide is twofold. Many British women transported to the Antipodes were unmarried mothers, the subject of new Poor Law reform, driven to prostitution in order to support their illegitimate children. While the British penal system generally, but particularly in instances of infanticide, was characterized by unrelenting severity in theory but leniency in practice, the 1828 *Offences Against the Person Act* legislated that attempts to procure miscarriage and the secret disposal of a dead baby, "whether the child died before, at, or after its birth," was punished by transportation (G.D. Woods 124). As Political Scientist Richard Rosecrance observed in the 1960s, "Because of gaps in the law, certain crimes that should have been crimes were not; because of an outrageous schedule of sentences, punishment was sometimes too extreme to be inflicted" (278). While British women often were not convicted for committing the invisible crime of infanticide, they were transported for the too visible crime of prostitution, often resorted to in order to feed their families. The fragment society thus carried a history of prostitution and infanticide into the new nation, where, at the same time, the internal threat of

Aboriginal infanticide—which erupts today in rhetoric opposing land redistribution, for example—similarly informed the founding national ethos.[186]

In the context of the radical denial of children's rights in Australia today, including the murder of refugee children at sea—either by the appalling negligence or the determination of the state—the interlinked discourses of infanticide, race, and juvenile delinquency coded in Charles Kingsley's *The Water-Babies* have resurfaced. As one journalist recently stated, "It is rather ironic that a country that began as a penal colony isn't a little more welcoming to those fleeing their homes, even if they're petty criminals. And there doesn't appear to be any evidence that they've broken any laws, except that in Australia, they are illegal migrants" (Murray). This allusion to the penal history of Australian colonialism is instructive, for the discourse barely held at bay in the child overboard event is juvenile justice: "the 'unwanted child' of state responsibilities" that perhaps marks the limits of the discourse of global tutelage (Abramson).[187] Although it remains off limits in the "children overboard" rhetoric, Gleitzman elaborates in *Girl Underground*, the spectre of ethnic youth crime shadowing the discourse of the mandatory detention of refugee children. During the period immediately leading up to the Howard government's third term, a general climate of fear of ethnic youth crime coloured the national imagination; the racialization of crime became epidemic. As economist Jock Collins remarked at a conference on Immigration in 2003, "[t]he issue of crime and its link to immigrants and ethnic groups and ethnic gangs is one of the hottest topics around the globe today" ("Immigrant Crime" 5).

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[186] See Mark Cooray's defence of western civilization "Most Stories Have Two Sides: Extract from Personal Newsletter," which attempts to mitigate the founding violence of colonialism by raising the spectre of aboriginal infanticide. For a popular nineteenth-century reference, see volume four of Henry Mayhew's *London Labour and the London Poor* in which Mayhew manages to connect, in the same passage, cannibalism, infanticide, and prostitution. Mayhew claims that child-killing amongst Australian Aboriginals was a social institution (70). Naming this volume *Those That Will Not Work, Comprising Prostitutes, Thieves, Swindlers and Beggars, by Several Contributors*, Mayhew embeds cultural difference into the discourse of labour relations. According to Hughes, the harsh code of nomadic aboriginal survival depended on eliminating surplus children who could not be carried (17).

[187] See, for instance, Roza Lozusic's briefing paper "Gangs in NSW," which discusses "waves of race-based public panic" as a result of media sensationalism, contributing to a "general debate about links between ethnicity and crime—in particular ethnic youth gangs and crime. See also Cheryl McDermid's "Australian Laws Violate Children's Rights" in which McDermid cites a UN report on the over-representation of Aboriginal and immigrant youth at "all levels of the juvenile justice system," and Economics Professor Jock Collins' "Youth, Ethnicity and Crime in Australia: Myths and Realities, in which Collins states:

Within a globalized set of inter-national relations, Hartz's formula for change from within the nation-state is only partially right. The hope for Australia, Rosecrance optimistically concluded in an assessment of racism in Australia in "The Radical Culture of Australia" (1964), was external pressure from the international community: "In the final analysis there is at least the possibility that the external challenge will bring an internal reorientation of social attitudes" ("317). Rosecrance drew a wishful analogy: "As America can no longer afford to try to reshape the world on American principles, Australia cannot persist with the fear of contamination by Asia which the White Australia Policy represents" (317). But despite an intervening period of multiculturalism in Australia, both US cultural imperialism and white-Australia exclusionary politics continue apace. Just as Rosecrance

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> [T]he Lebanese crime incidents in Sydney in the early spring of 1998 were yetanother occasion in Australian history when fear of crime among sections of the Australian community has been transformed into a fear of *ethnic* crime. The criminal in Sydney had a new police *Identikit* profile. To the established picture of young, male, and "Asian appearance" was added "Middle Eastern appearance." These descriptions not only lack geographical specificity, they imply that people from these places all look enough alike to allow another person to immediately identify a stranger's ethnic background. Now fears for criminal safety had another element: fear of the unknown stranger from places foreign and unknown. (1)

Collins draws a link between such moral panic and a "resurgence of racist politics and right-wing political groupings" (31).

recognized that "White Australia" was "a handicap" holding Australia back from meeting the challenge of world events, so internal resistance to the policy of mandatory detention today places its hope for Australia in the threat of global censure (318). In the aftermath of the child overboard incident, global activists sustained by the secular ethics encoded in the *Convention on the Rights of the Child* lent interventionist support to local resistance.

After UN authorities censured Australia's mandatory detention of refugees for breaching international covenants, Australia threatened "to quit the UN system of oversight committees on civil rights" (Skeers). Nevertheless, fear of international reproach, the loss of diplomatic legitimacy, and the risk to long-term economic interests put a brake on the protectionist rhetoric. Hence at the same time Australia was threatening locally to bar a UN visit to detention centres, it was claiming a moral foothold in the global human rights arena. At the United Nations General Assembly in October 2002, for instance, the Second Secretary of the Australian Mission declared Australia to be a "strong supporter of the promotion and protection of the human rights of children." Supporting the World Summit on Children Special Session document "A World Fit for Children," the Secretary articulated the double bind—to use Gayatri Spivak's formulation—of an ethical position that Australia cannot not want to convey its participation in:

> Mr Chairman
>
> Australia is committed to supporting these ["promoting healthy lives, providing quality education, protecting against abuse"] and other practical and constructive measures to improve human rights on the ground. Children are among the most vulnerable in all our societies and must therefore continue to be a focus of our efforts. Australia looks forward to continuing to work with UNICEF and other UN bodies

> and countries, *particularly in our region*, to develop and implement further effective measures to improve the situation of children. (Choi, my emphasis)

The question for local, or regional, politics is transparent: which child and whose children will be protected? Australia sliced the generic category of "the child" of international human rights into legitimate and illegitimate pieces to grant itself permission to violate children's rights "on the ground." This statement was part of a dissimulative government's advocacy of child rights that included a national agenda for "Improving the Wellbeing of Australian Children," in which the Attorney-General's Department stated an ongoing commitment to Australia's international obligations under the *Convention on the Rights of the Child.* In a statement delivered in New York in May, 2002, the Minister for Children and Youth Affairs, Larry Anthony, deflected attention from the local situation of refugee child abuse to some nebulous "cause of children globally": here is an illustration of the ab-use of the global social ethics encoded in the *CRC* and a flagrant failure of local political institutions (Daryl Williams; Anthony).

In his avowal of Australia's role in supporting "the human rights of children," Anthony exposed a key motivation for expressing such public concern: its involvement with the World Bank in developing communications technology, which has to do primarily with local political culture and economic self-interest and only nominally with global distributive justice for children. Staking a claim to the privileges offered young people in an age of technology that enhance a sense of global community by making the world smaller, Tori Milner, Vice-President of the United Nations Youth Association, puts this position into an ethical framework. Along with these privileges, Milner declares, come responsibilities:

> Responsibilities as a young person to recognize the plight of our peers overseas. Obligations to recognize the hypocrisy of a cultural ethos touting a fair go, a compassionate nature, and suggesting that we should 'rejoice for we are young and free' but then locking up young people in pain who arrive on our shores. (10)

Thomas Laqueur declares in his response to Michael Ignatieff's support of the "universal" principles of Human Rights, a debate I will return to in my epilogue:

> We must . . . create the conditions under which our fellow humans treat their *neighbors* as themselves, developing local political cultures that protect individual liberties. . . . I do think that the possibility of a world in which legitimate institutions protect individuals from tyranny, death, and oppression depends on historically quite specific conditions of local political culture that deserve attention. ("The Moral Imagination" 131)

In Australia, local political culture is failing refugee children. For moving compassion from the stage of personal interaction to that of distant suffering, Laqueur puts his faith in the power to sway the moral imagination through cultural intervention, which begins most effectively with the tutelage of children ("The Moral Imagination" 133).

In this vein, Morris Gleitzman is right in bringing his ethical concerns to Australian readers, generally ten- to thirteen-year-olds who, he states, "have keenly developed moral perceptions and are able to take strong, morally informed positions on a range of basic questions, including the imprisonment of the children of asylum seekers in detention centres." For Gleitzman, literature serves as a site of moral tutelage and thus, like a Matthew Arnold, he puts his trust for change in cultural tutelage, but for different national-global ends. Where Arnold sees literature as a means to strengthen a national-imperial best culture, Gleitzman sees it as a means to advance a more expansive cross-cultural moral and political consciousness in a diminishing world arena. Where an Edmund Burke formulates a paternalistic tutelary role as a means of protecting divinely sanctioned imperial rights, Gleitzman sees it as a way of intervening in new paternalism's "hold on the mind." Quite different from a paternalist structuring of tutelary relations, the *Convention on the Rights of the Child*, which Gleitzman supports, is predicated on a dialogic engagement that Burke impatiently dismisses as a "labyrinth of intricate and endless negotiations" (Burke, "Speech on Conciliation with America, March 22, 1775," hereafter "Conciliation").[188]

Gleitzman's novels are well received by Australian children. In online book reviews, children express their delight with the "adventure and excitement" of Gleitzman's most recent politically informed novels (Ari qtd. in Yabba Book Review). That Gleitzman often affects his young readers in some meaningful way is indisputable. As one reader exclaims, *Boy Overboard*, for instance, is "one of these books that you pick up and read and never ever want to put it back down" (Simon qtd. in Yabba). But his readers also express an understanding that goes beyond storyline to the text's explicit and implicit moral positioning: "I think [writes one young reader] that the message in this story [*Boy Overboard*] is that Afghanistan refugees are normal people" (Katherine qtd. in Yabba). If the young reader must guess an interpretation of *Boy Overboard*, *Girl Underground* is even less ambiguous.

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[188] On securing "the wealth of the world" for the Empire, Burke claimed in an address to the British House of Commons: instil in the people the *idea* that their "civil rights," as liberties, or privileges, depend on the government's "sovereign authority" and they will give their allegiance willingly. Not parliamentary bills or legal instruments—"passive tools as they are"—but the *spirit* of communion, of constitution, would secure the people's "love," their "attachment," their hegemonic consent. The role of education was to "truly" initiate and "rightly" teach these "ruling and master principles" only to those elite deserving of status ("Conciliation").

Through humour, transparent irony, and realist adventure, Gleitzman's messages serve, he hopes, as "a small antidote" to counter media indifference to the dehumanization of Australian refugees. Gleitzman's novels thus work in the space of the "global Imaginary," where, to borrow from Simon During, they function as fragments, or traces, bearing social witness (151).

Although Gleitzman observes that "moral choices and motivations are most keenly developed in our lives . . . around nine to 11 years old, just before the hormonal rush starts," subversively, his intended reader goes beyond the eleven-year-old. "Sometimes," he states, "the themes you are passionate about can reach more adults through a children's books." Not only do his novels reach a much larger audience than adult fiction, but most of his readers "have adults hanging off them in some form—as parents, teachers, librarians" (Gleitzman qtd. in Sullivan).[189] According to Gleitzman, in an "aspirational society with busy parents, even if those parents don't have time to read themselves, they see reading for kids as a vital part of what they aspire to" (qtd. in Sullivan). Gleitzman too knows the reforming power of following the child into the family.

In an interview with Kaye Tucker, Gleitzman criticized a form of writing for children that is ironic, cool, and detached, for it "isolates us from having to become emotionally involved." And Gleitzman's paired adventure stories *Boy Overboard* and *Girl Underground* are anything but "detached." In these emotionally charged adventures, political events are offset by a whacky humour that picks up separately and overlaps structurally the tropes of infanticide, in *Boy Overboard*, and juvenile delinquency, in *Girl Underground*, as a powerful critique of Australia's radical denial of refugee children's rights.[190] The structural movement of the paired narratives rehearses the general itinerary of the tropes of infanticide and delinquency I have been tracing from Burke-Paine-Spence's installation of infanticide as the shadow text of bourgeois rights, to the site of its socio-political operation in the imperial terrain of nineteenth-century British India, to Disraeli-Arnold-Kingsley's displacement of infanticide into the discourse of juvenile delinquency, to the Howard government's criminalization of refugees from the global precincts of economic imperialism and the reemergence of infanticide as a limit text determining the human/inhuman, natural/unnatural, civilized/uncivilized, and us/them of exclusionary nation-state identity today. At stake for the nation-state in the displacement of the double parricidal-infanticidal trope lodged in the denial of human rights to a space outside the binary is the definition of citizenship, a point I will return to in my epilogue (Spivak *Outside in the Teaching Machine* 49).

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[189] His book sales did not drop off because of the political subject matter, but reached 100,000 in sales within two years of publication.

Boy Overboard begins in war-torn Afghanistan where a young Afghan boy and his sister, Jamal and Bibi, hazard landmines, unexploded shells, and other war-wreckage strewn about the playground where they practice their beloved game of soccer. When the Taliban government discovers that their parents run an illegal coeducational school, the family house is blown up and their teacher-mother, along with several other women, is taken to a stadium in the city for public execution. The story of the children's journey to "freedom" begins when they witness their mother being dragged to the centre of the stadium at gunpoint and their taxi-driver father performing a daring rescue. Gleitzman is careful to counter Australian anti-refugee rhetoric by demonstrating that the family has no choice but to flee for their lives:

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[190] Corresponding to government rhetoric, Gleitzman's critique foregrounds cultural over somatic racism, criticizing racial profiling when Jamal and Bibi's father is arbitrarily arrested at the school, suspected of being a terrorist on the basis of skin colour (137).

they are not economic, but political refugees. Uneasily, I set aside this defense of the current criteria constituting refugee status that vexes the discourse of political asylum.

The family's journey is interrupted by a temporary stay in an international refugee camp, a desperate place where the sick and hungry wait for inadequate UN supplies, and aid workers cope daily with crime and chaos. The family's voyage to "safety" begins with Jamal and Bibi becoming separated from their parents when the departing crowd, afraid of being left behind, anxiously pushes its way onto two leaky wooden boats bound for Australia. The parents board one boat, the children the other. At sea, the food is poor and the drinking water scarce; at night the passengers freeze, by day they swelter. The passengers suffer equally the abuses of Indonesian smugglers, international pirates, and the Australian navy. The dialogue in this latter encounter directly repeats that of the "child overboard" media reports, as the people onboard begin to scream in panic at the naval warship not to shoot as "[t]here are children on board" (150). When Jamal recognizes the warship is Australian, he thinks momentarily, and ironically, that they have been "saved" (150). As the ship sets its "machine guns with laser sights" and "armour-piercing warheads" on the rickety vessel, the paternalist slogan of international child rights, "save the children," is emptied of its moral intent.[191]

The positive connotation of the trope of going "overboard" establishes early in the novel when Jamal learns from a friend's grandfather that to go overboard "[i]n English . . . means to do something that is bold, wild, dangerous and daring," a denotation that Gleitzman exploits to encourage his reader's sense of his or her own political agency (39). But going "overboard" is introduced more subtly as a form of infanticide when several children boarding the derelict fishing boat bound for Australia go overboard into the sea and nearly drown. Here, the subtext of Kingsley's *Water-Babies* surfaces. Although the children are reluctantly rescued by a surly people-smuggler, the threat of infanticide injects an aesthetic element of foreboding.

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[191] "Save the children" became the battle cry of the English woman Eglantynne Jebb, founder of Save the Children Fund and conceiver of the first *Declaration of the Rights of the Child* (1923).

By inverting the government's accusation of infanticide and pointing out that often a landlocked desert people cannot swim, Gleitzman accuses Australia of committing parricide. When a desperate Jamal learns that the boat his parents boarded is approaching Christmas Island off the north-west coast of Australia but sinking, he attempts to communicate to an impassive group of sailors that his father, who cannot swim, needs rescuing. Frantically, the boy screams at a smirking sailor: "Don't you care? . . . Don't you care that my parents are drowning? I can't believe it. I can't believe that people can be like this in Australia" (166). The children are saved and the not quite-infanticide reverses, becoming the not quite-parricidal act of an uncompromising nation. It is not only children who need "saving," the text suggests: the struggle for child rights necessarily takes in and cannot be severed from the adult refugee at risk. In the end, the children in *Boy Overboard* are disillusioned, and the family, which never arrives at the compassionate refuge of its imagining, is incarcerated in a detention camp on Christmas Island.

Girl Underground picks up the narrative threads with the children having been transferred from Christmas Island to some desert camp in Australia where Menzies, the son of the Federal Minister of Immigration, writes to his pen friend Jamal as part of an old term project that his teacher now regards with impatience. The epistolary narrative element introduces information from media reportage of the "children overboard" affair almost word for word, but strategically, through expressing Jamal's inner thoughts and emotions directly, it embeds a moral and emotional appeal that provokes the reader's empathic identification with pain.

As Laqueur argues, the literary tradition of humanism, which Gleitzman admits to adhering to, lays "cognitive pathways" for various forms of intervention. Laqueur maintains that with the coinciding emergence of detailed narrative forms in the eighteenth and nineteenth centuries—the novel, case history, and autopsy report—the individual body took on the power to forge compassionate new relations between "those who suffer and those who would help" ("Bodies, Details, and the Anxiety of Erasure," hereafter "Bodies" 177). Accordingly, humanitarianism is represented in realist narratives like Gleitzman's "as possible, effective, and therefore morally imperative." The problem with humanitarian realism, Laqueur suggests, is that since "both economic desires and moral sensibility are perverted by the same social pathologies," humanitarian thought excited by the novel form has limitations ("Bodies" 178). While such narratives carry potential to incite compassionate response, most often they "merely milk sentiment and defer revolutionary action" (Brecht in Laqueur "Bodies" 202). Conceding the limitations of narrative, Laqueur asks of human rights, "under what conditions can we *speak of other* individuals so as to care for them?" ("Bodies" 202, my emphasis).[192] His answer is not to look globally, but to attend to local relations between neighbours. While domestically, he argues, nineteenth-century narratives might "make real the pain of [distant] others . . . to offer a logic of specific intervention" because they "make bodies the common ground of humanitarian sensibility," in the imperial context, those bodies are normative bearers of exclusive identities and authoritarian relations (Laqueur "Bodies" 183).

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[192] On political representation, Marx instanced the eighteenth-century French peasantry to point out that speaking on behalf of others can also assume a relation of power that removes agency from those represented (*Eighteenth Brumaire of Louis Bonaparte* 339). Edward Said develops this in *Orientalism*: the Orientalist "makes the Orient speak, describes the Orient, reorders its mysteries plain for and to the West" (224).

This argument however does not explain the resistant text that attempts just the opposite: to alienate authoritarian relations by challenging the norms of identity. What Edward Said compellingly brings home in *Culture and Imperialism* is that we need to be self-reflexively attentive to the relations of power produced and reproduced by a text. What a nineteenth-century text attempting to resist imperialism managed to deliver, Said states, is a Western view of the non-Western world that continues to privilege Western histories, cultures, and aspirations. For a Joseph Conrad, for instance, "the source of the world's significant action in life is in the West, whose representatives seem at liberty to visit their fantasies and philanthropies upon a mind-deadened Third World" (xix). And so Conrad's anti-imperialism is limited by an imperialist vision. Said cautions:

> Yet lest we think patronizingly of Conrad as the creature of his own time, we had better note that recent attitudes in Washington and among most Western policymakers and intellectuals show little advance over his views. What Conrad discerned as the futility latent in imperialist philanthropy—whose intentions include such ideas as "making the world safe for democracy"—the United States government is still unable to perceive, as it tries to implement its wishes all over the globe, especially in the Middle East. At least Conrad had the courage to see that no such schemes ever succeed—because they trap the planners in more illusions of omnipotence and misleading self-satisfaction (as in Vietnam), and because by their very nature they falsify the evidence. (xix)

Said provides a different answer to that of Laqueur for escaping an unreflecting imperialist bias that requires "the political willingness to take seriously the alternatives to imperialism, among them the existence of other cultures and societies" to acknowledge "the interdependence of cultural terrains" and this must be done, both maintain, "historically" (xx).

Self-reflectively confronting the apathy of a backward-looking, protectionist western nation and preventing the adult from taking refuge in the child, *Boy Overboard* works within the guidelines Said has established. As the "children overboard" affair demonstrates, the "short attention span of the media . . . ensures short-term public interests," while juridical representation is handcuffed by state-imposed limitations (Ignatieff *Empire Lite* 115). With the Australian government's imposition of a media gag and its denial of access to international refugee advocates, the role of the interventionist humanitarian novel not only in bearing witness but in establishing "a structure of attitude and reference" for disturbing complacencies and revealing complicities must be defended (xxiii). But, as Gayatri Spivak points out, teaching students to read as political intervention is an equally important task of global tutelage.

Although Gleitzman's novels have achieved enormous popularity in the Australian grade school system, most children (and the adults hanging off them) need to be taught to read beyond the bourgeois plot of Jamal's dream of achieving international soccer stardom to recognize the colonial history of the game: why does an Afghan child revere the overpaid superstar of a Manchester United soccer team? What is the link between cultural imperialism and economic-technological imperialism today? For the Matthew Arnolds of empire-building, an aesthetic education was paramount for preserving a sense of cultural superiority.

The child of cross-cultural engagement, however, resists such national solipsism by guaranteeing children not only the right to a nation and a cultural identity, but also "access to information and material from a diversity of national and international sources"; from the ground up, then, the knowledgeable child poses a threat to paternalist politics (*CRC* art. 17).[193]

The problem of political and cultural representation might better be approached through learning to read ethically, Spivak argues in *Outside in the Teaching Machine*. To read ethically requires learning other processes of "meaning-construction" by attending, in part, to the political and cultural constructions of agency.[194] I think Spivak is right. Therefore, I want to argue that the Australian novelist writing a self-critical novel from the moral and affective perspective of an Afghan refugee to do the work of political intervention through a critique of pathological economic and political practices is not the nineteenth-century imperial gesture of cultural imposition. In contradistinction to the Australian government's removal of agency from the refugee child, or a Charles Kingsley's or a Matthew Arnold's deferral of child agency to some distant future, Gleitzman's novels work hard to show children just what agency in resisting moral and political wrongs they do have. In *Girl Underground* the child's agency comprises the power of voice backed by a global social ethics: to make the child a direct, if partial, participant in political affairs is to redefine "the citizen."

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[193] This article encourages the "production and dissemination of children's books" (Art. 17.c)

[194] More poetically, and concurring with Bakhtin's and Said's notions of putting the past to work in the present, Spivak states: "Political art that respects [the] history [of the everyday], forever the present ruin of a past pushing into an intact utopia, changes minds as drops of water groove stone" (*Outside in the Teaching Machine* 205). From the fragments of many texts, through a politics of painstakingly informed reading, we can work toward political solidarity. Rather than speaking "of" or "for" others, a dialogic model arrived at through negotiation like *The Convention on the Rights of the Child* celebrates a coming together to speak in conference "with" others. It works in tandem with and, at the same time, relies on culture to change structures of attitude and reference.

Not to "dream of making things better for other people . . . that really is criminal," states Bridget in *Girl Underground.* Against a background that alludes often to global economics and issues of national security, events now unfold from the point of view of an Australian girl who along with her new friend Menzies sets out on a "wildly improbable" journey to rescue Jamal and Bibi from a detention camp somewhere in the Australian desert (Verghis). While Menzies' parents spend a lot of time on overseas trade missions, Bridget's father operates a shady import business. Gleitzman humorously blurs references to black-market trade and sanctioned economic activity, littering the text with her father's attempts to give away Iraqi blenders, Bulgarian gameboys, Algerian hair-curlers, and Israeli calculators as political bribes, while continually alluding to Australia's criminal past. Bridget's cynical understanding that everyone is "on the take"—especially the parents of her school mates, prominent "lawyers and judges and commissioners of police" and the Minister of Immigration—is offset by her realization that Menzies' distress over the refugees' plight is genuine. Bridget and Menzies eventually travel to the detention camp with Bridget's dad and Jamal and Bibi's father, who has been released on a temporary visa but refused family reunification. To deny the status of "family" to asylum seekers is to denaturalize, or dehumanize, the refugee family, which then justifies on some level keeping them in custody.

In *Girl Underground*, the Australian children plan a "breakout" by digging into a Woomera-style camp with plastic beach shovels; thus Gleitzman demonstrates a positive use of the child: inspiring or shaming an apathetic Australian nation to raise their collective voices in public protest. Gleitzman brings the reality of the refugees' situation home to his young readers by drawing allegorical correspondences with which they can identify. Menzies' anxiety and pallor, the result of his not eating properly, corresponds with Jamal's pending hunger strike, while Bridget's near-detention at school, in which, suggestively, she is forced to define and identify a "parasite"—"organisms that take what they need for their survival from other organisms"—parallels with Jamal's incarceration by the free-trade parasites of the global economy: in history, the offshore detention camps are run by private for-profit companies funded by the Australian government. In the text, the humour lies in Bridget's identification of parasitism in international trade relations, in her naming of the Turkmenistan/Uzbekistan border where bandits are smuggling "DVD players that aren't multi-zone" (80). Ironically, Bridget and Menzies breach parliament-building security to confront a patronizing prime minister, who tells them, when asked outright why he is locking innocent kids up, that they are too young to understand. "Because kids are physically smaller, there's an assumption by people . . . that their ideas and themes and problems and ambitions must be commensurately smaller and less important. I would venture, insists Gleitzman, that sometimes the opposite is true" (Sullivan).

As a literary corrective to the violation of children's rights legitimated by a nineteenth-century imperial taxonomy, Gleitzman importantly moves the binary discourse of genuine/fake, legitimate/illegitimate refugees into its (im)proper context of global trade, implying the illegitimacy of exploitative economic relations of power in the context of an emergent global citizenry (82). In both novels, cultural encounter involves losses and gains on both sides. Gleitzman presents the loss of the refugee family's precious heirlooms left behind in Afghanistan sympathetically, but suggests that their cultural strength derives from such intangibles as taking pride in one's heritage. At the same time, he pokes fun at

Australia's penal heritage. Bridget is ashamed of her petty-criminal-class family, who ultimately turn out to be less reprehensible than the upstanding parents of the children at her posh boarding school.

Girl Overboard thematizes a reformation of the Australian child. A self-identified "Crim Kid," or "Crime Girl," Bridget figures juvenile delinquency through the inverse trope of "breaking *in*" to the nation's imagination to demonstrate obliquely that it is the intransigent hearts and minds of a too protective, introverted nation that must be broken into. The school motto "Our Minds Are Open And Our Hearts Are Strong," Gleitzman criticizes, is duplicitous (131). Underpinning and informing the narrative and providing the foil to Jamal's act of letter-writing to Menzies—modeling the power of speaking not of or for, but *with* another—Bridget's brother also writes from prison. When Bridget measures the "fair cop" of her brother's incarceration for theft against the refugees' unjust imprisonment, she resolves to become a refugee lawyer (84, 148). However, faced with a seeming defeat somewhere in the middle of the novel, Bridget opens her mouth to tell the prime minister she will give up, that she is "a reformed character," the kind he wants—passive and submissive—and that she is "giving up trying to help refugees" (135). Significantly, she then shuts her mouth and gets down to the business of acting on her convictions: as Ignatieff points out, human rights confer agency, not as a moral "trump" card, but as a claim enabling the individual to go up against the nation-state ("Human Rights as Politics" 11). This is what is new about global human rights, which had previously only recognized the rights of sovereign states. Children, however, do not have full agency.

A self-reflexive Gleitzman admits that to write against the grain involves "naivety and copious amounts of youthful optimism." When "after reading *Boy Overboard* many of his young readers expressed their frustration to him that there were children their age in detention centres, but they could do nothing about it [Gleitzman decided to write] about children who did do something" (Sullivan). "Stories can bring alive the moral universe in a very vivid, useful, engaging way," he states, unapologetically offering "a blunt response to those who question whether politics have a place in children's books. 'Refugees are in children's books because they are in children's lives'" (qtd. in Sullivan; Verghis). Demonstrating the power of voice guaranteed to children by the *Convention on the Rights of the Child*, Gleitzman offers his readers the conceptual tools they need for claiming political and cultural agency and inserting themselves into the domain of participatory citizenship. Gleitzman's text engages in the enterprise of, in Spivak's words, educating to "rearrange desires noncoercively" ("Righting Wrongs" 532).

Against the apathetic and antagonistic citizen-nation, the children's novelist takes on a tutelary role as teacher of inter-relational, interdependent global social ethics and citizenship. Gleitzman encodes children in the historical present as part of the solution for inculcating and implementing a global social ethics that recognizes, negotiates, and embraces cultural difference. While Gleitzman figures politicians like the condescending Prime Minister as parasites dependant on voters, he demonstrates the antidote for overcoming apathy is to use one's voice not only by exercising the right to vote, but by actively speaking out against injustice and by learning about others through dialogue (*Girl Underground* 176). Throughout the novel, kids use their voices in other ways, writing letters of protest and educating intractable parents, and some of those parents do change their minds. Tutelage-in-reverse: as inflexible as he is initially, Menzies' father ultimately asserts pride in his son, articulating, if in a croaking voice, the twofold lesson Gleitzman shares with his child reader:

"incredible, the power of a child's voice and [its power to affect] a nation's conscience" (181). In *Girl Underground*, not only the child, but the nation reforms by shedding its criminal past and stepping forward to advocate for what is humanly right.

Epilogue: A Model for a Global Social Ethics

> *[W]hen we see that in the range of physical power man acknowledges no limits in his dreams, and is not even laughed at when he hopes to visit the neighbouring planet, must he insult his humanity by proclaiming that human nature has reached its limit of moral possibility?* (Rabindranath Tagore)

> *[W]e begin to sense that old authority cannot simply be replaced by new authority, but that new alignments made across borders, types, nations, and essences are rapidly coming into view . . . .* (Edward Said, *Culture and Imperialism* xxv)

By attending to the metaphors of infanticide and juvenile delinquency encoded in the discourse of rights, my study has attempted to capture the "abstract form" of unfettered civil-political rights as a double murder, as an infanticide-parricide. When unchecked by social obligation, these rights presuppose some act of violence and advance on a logic of repression, in the form of a parricide of some scapegoated group made the agent of child murder. As the shadow text of claims to unrestricted rights and freedoms, the trope of infanticide marks some legal and/or ethical impasse in the struggle for survival between free-trader *vulgaris* and "the world's" children; consequently, if we are to take human rights seriously, we need to read systemic violences to children that mark the limits of the discourse of rights. When the child is shucked loose from its material conditions, it gets mystified in a liberal economy of "the universal," which serves to deny children and their societies their rights to resources and social welfare.

In brushing aside the material present of children to vilify some dehumanized and criminalized parent, *homo œconomicus* profits from the child-victim of structural inequity and the relations of power infanticide serves to consolidate. Confining the child to the realm of the symbolic allows the adult to take refuge in the myth of protected childhood by displacing socio-economic inequities into cultural aesthetics. The generic child of the *Convention on the Rights of the Child* however sutures together the split deviant and sanctioned child-figures, and insists contractually that the right to life cannot be ensured unless the rights to health and a decent standard of living are safeguarded and implemented in tandem with civil-political rights, for the two sets of rights are interdependent and inextricably bound. Having done the conceptual work of exacting near-universal ratification of the *CRC*, the re-formed child of global human rights, a person in his or her own right that retains is special status as a child requiring protections, must now be reintegrated into mainstream theoretical studies, for the failure to read children in the social and political enterprises of globalization can only lead to partial and false analyses of global issues.

Historically, splitting the child provided a logic for displacing exploitive social-economic conditions as cultural deviance. The crime identified, the way was paved symbolically for scapegoating some adult population marked either as murderer of the child, or inversely as the aberrant child itself, which becomes then the nominal object of rescue for some power relation seeking to establish legitimacy. The identification of infanticide as a cultural rather than a socio-economic problem authorized repressive relations of power between paternal power and some targeted segment of the adult populace. The enterprise of "saving the child" from its unnatural parent, then, provided a rationale for making the adult "other" a social deviant, a criminal to be transported out of Britain or, as the muscular paternalists sought, to be exterminated—or, in the Woomera's and Guantanamo Bay's of the world today, incarcerated indefinitely. The discourse of partial and exclusive rights provides an alibi for issuing repressive authority its certificate of birth, in name only of the child.

As Michel Foucault has taught, the general shift from paternal to fraternal social relations in the nineteenth century necessitated a reforming shift to integrate moral with juridical mechanisms of normalization that required new disciplinary institutions. To this end, the accusation of infanticide and accompanying movement to "save the child" provided a conservative moral position from which to work out techniques of socio-cultural intervention. New forms of tutelary power, I have demonstrated, not only required saving children as the raw material of cultural intervention, but symbolically killing those children as a cardinal violence sanctioning entry into the social space of the family and the resistant community. Further, to care for children in their material present means taking their cultural value and their living conditions together. Although paternalists like Disraeli, Arnold, and Kingsley identified the need to bring culture to the child, as the state's best vehicle for ensuring an educated citizenry, they conceived children in an evolutionary frame that reserved their historical worth for the future. Objecting to the expansion of "civil liberties" for the masses as the path to moral degeneracy, the paternalists advanced policies to protect a particular, bourgeois childhood organized by a consequential logic of power—by tying moral culture to social welfare, the one preceding, as the precondition, of the other.

Not only the measure of a state's material development, but a site for "building" the civil Imaginary, the modern child-figure works in the hyphenated space conjoining nation and state. The child of the *Convention on the Rights of the Child*, however, is a transnational figure that goes beyond the nation-state, ideologically binding states to their international obligations to human rights. The convention is thus a means of resisting the brutalizing forces and processes of globalization, and any theory of intervention in the process of economic globalization ought, therefore, to take this figure into account. The child is not only a primary site of cultural negotiation, but it calls attention to the nation-state fiduciary duty to redistribute global resources. Child rights are thus a cardinal stake in global management, embedding a juridical means of intervening in global capitalism's logic of resource and labour exploitation and encoding the foundation for a global social ethics that lend moral legitimacy to activist intervention.

The rapid centring of child rights in the late twentieth-century has particular resonance for analyzing the relation between cultural and economic imperialism. At the end of the twentieth century, the model-subject of cultural inculcation, the child, erupted onto the global rights stage.[195] While the twentieth century was heralded as the "age of the child" by such influential works as Ellen Key's *The Century of the Child* (1900) and the first *Declaration of the Rights of the Child* (1923),[196] this era in the development of human relations began with the child conceived as a passive object of individual moral rather than social protection.[197] With the ratification of the *CRC* and the global recognition of the child as an official person with partial agency, the century closed with the child still the object of debate. The US senate's refusal to ratify the *Convention on the Rights of the Child*, for example, reveals the threat to sovereign power contained in the notion of child agency.[198] And already, in the dawn of a new century, children's rights are under siege: not only in countries torn apart by war and economic misery, but inexcusably in the relatively stable, wealthy nations of the developed world. While nations like the USA, Australia, and Canada seek moral legitimacy by signing and sometimes ratifying international declarations, they are finding it difficult, or ideologically repugnant, to implement the social dimension of human rights, which also, of course, carry a perceived threat to nation-state sovereignty.[199] Although all members of the United Nations—with the exception of the war-torn Somalia and war-mongering United States—have ratified the *Convention on the Rights of the Child*, and although it is the most rapidly and widely adopted piece of global legislation ever, the work of its implementation is slow. Both a moral and a juridical instrument, it requires the combined local and global, moral and legal pressures of intervention to counter such maverick anti-human rights policies as the mandatory detention of asylum seekers in Australia, and the patient recognition that success is not always immediate. Although I have been championing the *Convention on the Rights of the Child* as a tool for developing a global social ethics, I hope I have made clear that the philanthropic act of "saving the child" is not an adequate logic for countering the negative aspects of globalization. A real danger lies in using the *CRC* as an alibi for failing to redistribute resources by displacing attention to various child-saving enterprises.

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[195] See Ashis Nandy's critique of the politics of childhood and the uses to which childhood is put for "adult experimentation in "Reconstruction Childhood: A Critiques of the Ideology of Adulthood." Nandy discusses the splitting of the child into positive and negative—childlike and childish—attributes in the context of British imperialism. The identification of imperial subjects as children legitimated denying them political rights. Cecil Rhodes in South Africa, for example, was able to claim: "The native is to be treated as a child and denied franchise" (qtd. in Nandy 58). Childhood has frequently been used as the "battleground of cultures," displacing childish qualities onto whole societies as "a justification of all exploitation" (Nandy 65, 59). India, for instance, became "a training ground" for the "elder" Utilitarian British society to guide the "immature' Indian one towards adulthood (56).

[196] At the same time Keys developed her romantic perception of the "holy" bond between mother and child, eugenicists developed the notions of human progress and the perfectibility of the human race based on the ideas of Nietzsche, Galton, and Spencer. At this time, the new discipline of child studies was also developed.

[197] The development of an international set of child rights spanned a period from World War I to the post-Cold-War era, during which time a "new" economy of rights was constructed (post-WWI and WWII) and, ultimately, transformed (post-Cold War), combining civil-political rights with ESC rights to create a full set of guiding principles by which to forge cross-cultural civility and order.

In their debate over the nature and role of global human rights, Michael Ignatieff agrees with Thomas Laqueur that human rights do not become effective until anchored in constitutional traditions.[200] Ignatieff also agrees with Laqueur that transnational solidarity depends on both moral concerns and juridical rights. The source of their disagreement lies in their definition of human rights. Laqueur accuses Ignatieff of putting his faith in constitutionalism, conceiving rights as individual politico-juridical guarantees. Ignatieff counters that Laqueur conceives human rights as if they were a secular form of Christian duty, extended by those who have them to their less fortunate "dependents in tutelage" ("Dignity and Agency" 163). Ignatieff is more interested in rights as an instrument of self-empowerment, of individual agency, while Laqueur seems more invested in ameliorating social and cultural conditions that aggravate hostility ("The Moral Imagination"138). When the human rights debate is expanded to include children as local and global citizens, however, the ground necessarily shifts, for children's rights uncompromisingly fuse together these two enterprises, taking due process and social welfare inseparably to the child-as-a-subject-citizen, not only of the state but of the world: a legally recognized person in his or her own right embedded in a specific community that obligates the legal and moral responsibility of an ensemble of agents to ensure that the full set of global human rights of the child and its community are implemented.

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[198] The first legally binding international instrument to incorporate the full range of human rights, the *CRC* came into force in 1990.

Contrary to the growing perception that rights talk is a "language of moral imperialism," child rights, I suggest, are not western-centric (Ignatieff "Human Rights as

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[199] See Tony Evans et al. in *Human Rights Fifty Years on: A Reappraisal* for recent leftist criticism of "triumphalist approaches" to human rights (back cover).

[200] This is the problem for Australian courts: the *National Inquiry into Children in Immigration Detention Report* declared that the government's failure to make the "best interests of the child" a primary consideration violates international law, but until mandatory detention is made illegal by constitution, the courts must uphold parliamentary legislation.

Politics" 20).[201] Rather, "western" rights as they emanate from the French Revolution are primarily those civil and political rights articulated in such adult-centred legal instruments as the *Declaration of the Rights of Man and of the Citizen* that continue today to exclude the economic, social, and cultural (ESC) rights formally incorporated into the *Convention on the Rights of the Child* in the late twentieth century. These rights are haunted by the specter of child death.

Early child rights are a hybrid affair, developed by scapegoating various adult-subjects of the British Empire. Admittedly, it was at the request of the British delegation to the League of Nations that the first international *Declaration of the Rights of the Child* was adopted (1923). The construction of this first-of-its-kind document followed World War I, when, in order to establish its "moral authority," the League was forced to address the welfare of children in the territories placed under its tutelage. Although members of the League contested "the new status of childhood . . . at every point," the League's pledge to protect the young ultimately was unanimous, for protecting children provided a paramount logic for underwriting the workings of power on the stage of international tutelage. In the aftermath of a war that induced catastrophic psychic trauma, the child provided a logic of rescue for initiating the work of European "reunification," not only through the slow workings of cultural tutelage, but, necessary for claiming moral authority, through alleviating disease and mass starvation (Marshall 104).[202]

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[201] The universalism-relativism of human rights has been part of a heated ideological and cultural battle. Relativists argue that human rights carry "Western" or "Judeo-Christian" biases, while universalists claim that, by virtue of being human, rights are inalienable. See Jack Donnelly's "Cultural Relativism and Universal Human Rights" for a positivist "relatively strong universalism" (his use of the pronoun "we" is telling): "we must insist on a strong, authentic cultural basis . . . before we justify cultural derogations from 'universal' human rights" (414). And then see Ann-Belinda S. Preis's claim that human rights "have become 'universalized' as values subject to interpretation, negotiation, and accommodation. They have become culture." Culture is "no longer territorially bounded" and is increasingly seen as "a network of perspectives, or as an ongoing debate." As cultural practice, human rights demand "a departure from mechanical, prefabricated, and externalist models of human behaviour and social change" (289, 290). It is wrong, Michael J. Perry states, to conceive of the "West" or the "East" as homogeneous "cultures" with a single mind:

> Widespread transcultural agreement about what human rights people have co-exists with much disagreement about what human rights they have. But, typically, such disagreements are not intercultural: the dividing lines in such disagreements do not separate all the members of one or more cultures from all the members of one or more other cultures; instead they separate some members of one or more cultures from some other members of the same culture or cultures. The Reagan Administration's effort to paint the International Covenant on Civil and Political Rights (ICCPR) as a "Western" document and the International Covenant on Economic, Social and Cultural Rights (ICESCR) as a "non-Western," "socialist" document, though not surprising, was not at all persuasive" (footnote 70, 486).

As the child stepped onto the international stage, rivalry between the US and the European powers to "secure the leadership of relief towards children" quickly followed the first *Declaration of the Rights of the Child* (Marshall 110).[203] Competition between the new international philanthropists was fierce: the struggle for power forced the recognition of child welfare as a global issue. While many delegates of the General Assembly expressed that the inclusion of the child provided the League with a "claim to universality," the principles of the first *Declaration of the Rights of the Child* indeed lent it a western moral authority (120). What made this document unique, however, was not its moral intent but its internationalism.[204]

Given its minority status within the "human family," the child of the first international *Declaration of the Rights of the Child* (1923) was powerless to perform the interventionist "work" of bridging ideological differences between civil-political and ESC rights opponents. In the midst of Cold War relations, mired in the confines of "brotherhood," "nuclear" family, and nuclear war and unencumbered by a restrictive set of duties and responsibilities, "universal" (civil-political rights) man became impotent in global efforts to forge a binding treaty that would federate civil-political and ESC rights. The global rights movement required a new symbolic worker, and the child was severed from the post-WWII discourse of "universal" rights in which the child continues to remain a minor member of "the universal family," often concealed to the point of theoretical infanticide (Lauren 235). Just as the child coexists in unequal relationship with *homo œconomicus*, however, so those rights enabled by the child continue to be subordinated to those individual rights prioritized by free-trade logic enjoyed without entailing distributive responsibilities to the larger society.

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[202] See, for example, Jane Addams's *Peace and Bread in Time of War*.

[203] Almost concurrently in the international arena, for instance, the Belgians initiated the first international meetings devoted to juvenile delinquency (1910), while the International Labour Organization (ILO) held its first international convention on child labour (1919).

[204] Although child rights expanded slightly following the Second World War, this set of rights remained a mere declaration of intent and did little to promote ESC rights.

On the eve of the International Year of the Child (1979), a Polish working group drafted a covenant on child rights that would take ten years of intense international negotiation to become legally binding. Each word, right down to the articles "a" and "the," in the *Convention on the Rights of the Child* is the result of prolonged negotiation. Although this draft drew heavily from the two existing covenants on adult-centred rights—one civil-political, the other social-economic—it took the child to bring these together formally into a single document, and it took the child to get it widely, almost universally, ratified. Although child rights expanded slightly following the Second World War, this set of rights remained a mere declaration of western moral intent and did little to promote ESC rights. But, as the League of Nations quickly realized, approaching human rights through the narrow lens of libertarian rights comes at a humanitarian cost that only began to be redressed formally on a global scale in 1979, the International Year of the Child.

Academic theory, I have been arguing, has not caught up with United Nations' practice, however imperfect and tenuous, and unless adult-centred debates on human rights expand to include the moral-juridical figure of the child, the crisis of distributive justice in the material present will continue to be deferred to some improbable future. This unionizing of individual and social rights and duties in international law is unprecedented, making the *CRC* a watershed document demanding to be brought fully to globalization theory.[205] Offering a non-prescriptive model of inter-cultural relations based on imperfect negotiated guidelines, the *CRC* ambiguously leaves room for local interpretation and recognition of difference. If the question for a global social ethics is, as Laqueur formulates it, what logic of intervention can the unembodied, unenforceable disciplinary-juridical instrument offer, the *CRC* provides an answer in the form of a non-repressive model of power like the one Foucault hypothesized in 1976:

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[205] Here is a concrete example of the child's potential for a cross-cultural approach to problems of redistribution: in its attached reservation to the *Convention on the Rights of the Child*, the Kingdom of Swaziland notes the two-way, transnational set of responsibilities of the international community in aiding Swaziland to fulfill its obligations:

> The Convention on the Rights of the Child being a point of departure to guarantee child rights; taking into consideration the progressive character of the implementation of certain social, economic and cultural rights; as recognized in article 4 of the Convention, the Government of the Kingdom of Swaziland would undertake the implementation of the right to free primary education to the maximum extent of available resources and *expects to obtain the co-operation of the international Community for its full satisfaction as soon as possible*. ("Declarations and Reservations," my emphasis).

Generally, human rights theory is adult-centred, unless it hives off from mainstream debate and explicitly makes the child its explicit subject. See Jack Donnelly's treatment of rights, for instance, or the group of essays in Amy Gutmann's *Human Rights as Politics and Idolatry*. In his contribution to this book, Thomas Laqueur's statement "before 1948 only states had internationally recognised rights" excludes the *Declaration of the Rights of the Child* (1923) and the disciplinary mechanisms of power performed in the international arena by the League of Nations through the figural child ("The Moral Imagination" 128).

> If one wants to look for a non-disciplinary form of power, or rather, to struggle against disciplines and disciplinary power, it is not towards the ancient right of sovereignty that one should turn, but towards the possibility of a new form of right, one which must indeed be anti-disciplinarian, but at the same time liberated from the principle of sovereignty. (Foucault *P/K* 108).

The *Convention on the Rights of the Child* does not attempt to make bodies "real," but presents an emptied-out child as the figurative "ground" upon and through which it works. I would venture then that anthropologist Jo Boyden is right to express concern about street children's invisibility in the nation-state's compass of concern, but, as I have argued throughout this study, the *CRC* refuses the split between the sanctioned and deviant child and tropes instead a generic figure that provides a means to address the problems for preventing the disappearing of street children. The issue of exclusion that Boyden correctly identifies is, I suggest, part of the larger problem of adult-centrism that effaces children from mainstream theories, policies, and practices. Although regime theory has argued that the primary problem of the *CRC* is its lack of an authoritative apparatus for implementation, the great strength of the *Convention on the Rights of the Child* is its capacity for a cross-cultural cooperation and its challenge to finance capitalism's economic culture. It is too easy to espouse global ideals, however, while ignoring the erosion of them at the local level.[206]

Giving political voice to children is the linchpin of the global social ethics embedded in global child rights, and the voices of the Bangladeshi street children, Spivak's guardians in the margins of this study, appear as a direct result of Canada's implementation of Article 42 of the *Convention on the Rights of the Child*. The *CRC* gives "to the child who is capable of forming his or her own view the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child" (Art. 12.1 and 12.2). Whether this article refers to political or to cultural expression is deliberately vague, Veerman notes, since many countries forbid even adults the freedom of expression (46-7). Nevertheless, and notwithstanding that someone must still discern what constitutes a child's capability (an aporia of this study), this securing of a child's partial agency, treating 'the child as an individual and as a member of family and community with rights and responsibilities appropriate to his or her age and stage of development," is unparalleled (UNICEF: "The Convention").

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[206] While priding itself on its global humanitarianism, Canada, for example, has the highest rate of incarceration of children in the developed world.

The *CRC*'s "new vision of the child" goes beyond the question of how to represent others by circumventing traditional roles established for children as objects of possession or charity, and making them partial agents within more truly democratic systems of government legally bound to address political and structural inequities. The child thus holds a key position in the UN conception of global citizenship. The *CRC*'s model for a global social ethics unprecedentedly carries a tutelary reach for those guarding against such intervention; yet, unless the child is integrated into rather than cordoned off from its communities as a participatory citizen with rights, as well as into academic theories committed to addressing the negative effects of globalization, the violent opposition between adult and child caught in the double trope of infanticide-parricide will continue to serve as a conservative alibi for taking refuge from the desperate and brutal realities of economic exploitation.

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